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A N
A P P E A L

To all the

True Members

OF THE

Church of England,

In behalf of the

King's Ecclesiastical Supremacy;

A S

By Law Establish'd ; by our Convocations
Approved ; and by our most Eminent
Bishops, and Clergy-Men, Stated, and
Defended; against both the Popish, and
Fanatical, Opposers of it.

By WILLIAM WAKE, D. D. and Chaplain
in Ordinary to his Majesty.

L O N D O N :

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The King's Most Excellent Majesty

THOMAS

By Divine Providence



Lord and
Bishop
of

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Grace for your Protection, and
that such as are in your
Grace to all who are in your
Grace to all who are in your
Grace to all who are in your

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T O

The most Reverend Father in GOD

THOMAS,

By Divine Providence,

Lord Archbishop of *Canterbury*,
Primate of all *England*, and
Metropolitan.

My LORD;

THIS Appeal which Ad-
dresses it self to Others
for their Judgment,
Sues, with all Humility, to Your
Grace for Your Protection; and
that such, as, I conceive, is neither
Unfit for me to Ask, nor for Your
Grace to Afford. You will here
see what that true Agreement is be-

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tween

Epistle Dedicatory.

tween the Priesthood and the Empire, which our Laws have Establish'd; our Convocations approv'd of; and our Greatest Clergy-men hitherto defended; without the Censure of Any, but the profess'd Enemies of our Church and Constitution. But now a New Sort of Disciplinarians are risen up from within our selves, who seem to comply with the Government of the Church, much upon the same account that Others do with that of the State; not out of Conscience to their Duty, or any Love they have for it; but because it is the Establish'd Church, and they cannot keep their Preferments without it. They hate our Constitution, and Revile all such as stand up in Good Earnest for it: but, for all that, they resolve to hold fast to it; and go on still to Subscribe, and Rail. In

Epistle Dedicatory.

IN Opposition either to the Errors or Designs of these Men, the Present Appeal bespeaks Your Grace's Protection, not so much for its self, as for the Articles and Canons of our Church; and for those Excellent Worthies who, in their several Successions, have appear'd in Defence of the King's Supremacy over the State Ecclesiastical, as by Law declared, and Establish'd. That you will vouchsafe still to Continue to Own a Cause, in which not only the Church of England, but the Church Catholick, ever since the Civil Powers have become Christian, is concern'd together with her: The Authority we plead for in behalf of our Kings, being no other, than what the most famous Bishops and Councils of the Church have given to their Emperors;

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perors; and who, by consequence, must All be involved in the same Censure with our Parliaments and Convocations. And they who now Revile the One, would as freely Condemn the Other, but that they are sensible that many who are well content with the Reproach of King Henry VIII. and his Clergy, would not endure to bear the like Charges made against Constantine and Theodosius; and those Bishops and Councils which all Christians, in all Ages, have been wont to pay so Great a Regard to.

THIS, MY LORD, is the Cause which I here bring before Your Grace: In the Defence whereof I have Once already been engaged, and shall, with Gods Assistance, again appear; when those who

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who now talk with such Confidence
against my former Allegations,
shall give me Occasion to shew how
just they were, and how little, in
Reality, there is to be excepted a-
gainst them. In the mean time, I
was willing, for the better Disco-
very of these New-Reformers;
by this short, preliminary Treatise,
to draw aside the Curtain, and let
the World see whose Off-spring
they are, and from whom they de-
rive both their Principles, and
their Animosities, against Us. I
cannot but hope, that by this I shall
awaken all the Sincere Members
of our Church to beware of them;
and not give Countenance to such
Attempts, as under a shew of bet-
tering Our Constitution, do in
Reality tend to the Utter Sub-
version of it. To Your Grace I
submit both the Design and the

Epistle Dedicatory.

Performance ; and with all possible Duty and Respect Remain,

T H E

My LORD,

Your Grace's

Most Humble and

Obedient Servant,

WILLIAM WAKE.

THE

Epistle Dedicatory.

~~Performance; and with all the
due Duty and Respect remaining~~

THE

PREFACE.

WHEN I entred upon the Defence of the *King's Supremacy*, in Answer to the *Letter to a Convocation Man*, I was not so little acquainted with the Tempers and Designs, of a certain *Party* among us, as not to know that my Undertaking would be likely to displease Those, who think any the least *Authority* that is given to his *present Majesty*, to be an Encroachment either upon their *Civil* or *Ecclesiastical Rights*. Nor was I unsensible what might possibly be reply'd to the *Arguments* which I brought in Proof of it: The knowledge I had of what the *Papists* were wont to return to the like Allegations of our *Writers* against them, having, in some measure, inform'd me what, upon this Occasion, might probably be said

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cles. Pref.

said in Answer to Me. But to find
my self charged, as if in defending
the *Authority* of the *Prince*, I had
betray'd the *Rights* of the *Church*,
and appear'd in such a Cause as nei-
ther became my *Function*, nor had
any of our *Clergy* ever before con-
cern'd themselves withall; this, I
confess, was a perfect Surprise to me,
and abundantly Convinces me that
some *Mens Resentments* are as much
beyond Modesty, as they are with-
out Reason.

It cannot be unknown to any,
who is not an utter stranger to the
History of our *Reformation*, upon
what *Principles* it was undertaken,
and at last happily sealed among us.
How the *Prince's Authority* was both
the Means by which it was carry'd
on, and the Ground on which we
justify'd our selves in the doing of it.
And, indeed, at the first, none but
the *Papists*, (that is to say those
who had engrossed this Power into
their own Hands, and could neither
endure to part with it, nor to sub-
mit to the Use which they saw we
intended to make of it;) complain'd
of what we did, in restoring the
Prince

Printed to his antient, and undoubted Right; or pretended to enter any Process against us; upon the Account of it. It is true, some time after, another Party, (how opposite soever to the *Papists* in other Matters, yet in this too nearly Approaching to Them) began to set up themselves; and to claim the same Power in behalf of their *Kirk*, that the *Romanists* had pretended to in Right of their *Pope* and *Church*. But against Both these our *Bishops* and *Clergy* continued firm and constant; and were, by all impartial Judges, allow'd to be as much Superiour to them Both in their *Arguments*, as they were in the *Justice* of the *Cause* which they maintained.

Thus stood this Controversy till our Own times: Inasmuch that I hardly know any *Author*, professing himself a *Member* of the *Church* of *England*, who has either cast any Assertion upon our *first Reformers*, for restoring the *Crown* to its *Antient Jurisdiction*; or pretended that the *Divine Rights* of the *Church*, were in any wise violated, or infringed by it.

But

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Ib. Preface.

Municip. Ec-
cles. Pref.
pag. 2.

But it seems the Case is very much altered now : And it is, of a sudden, become an Encroachment, not to be endured by our *New-Church-Patriots*, for the *King* to pretend to lay any *Restraints* upon their *Assemblies*; and an Enterprize unbecoming a *Minister* of the *Gospel*, tho' by more than one Obligation engaged so to do, to appear in defence of the *Royal Supremacy*.

It is indeed very strange to consider after what manner a certain *Writer* has of late deliver'd his Sense as to both these ; and such as will hardly be Credited, except I repeat it in his own Words. 'Twas Natural (says He) to expect the Insurrection of *Infidels* and *Hereticks*, against the *Proposals* and *Power* of a *Convocation*.---But who would have dreamed that any *Clergy Man*---of the *Church*, should lift up his Heel against Her.---When the great *Luminaries* of the *Church* shall sign the *Theta* upon Her *Rights*, *Liberties* and *Authorities*, *Divine* and *Humane* ; and this Voluntarily, and without any Bribe offer'd, or Menace denounced, the *Concession* is taken

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V

‘taken for Sincere, and for that
‘Cause, Just.

‘King Henry the VIII of famous *Ib. pag. 3.*

‘Memory, notwithstanding all his
‘Claims at *Common-law*, and his In-
‘terest in his *Parliament*, thro’ *Power*,
‘and the Rewards by *Abby and Church-*
‘lands, could not have made himself
‘so absolute in Ecclesiasticals. had he
‘not procured before the *Submission*
‘of the *Clergy*. Nor could he have

‘compassed *That*, but by the Terror *pag. 4.*

‘of a *Premunire* under which they
‘had fallen, and upon which he was
‘resolved to follow his Blow, and
‘so to bend, or break them. And
‘yet this *Act* of a *Popish, Unreform’d*,
‘and will nigh *Outlaw’d Convocation*,
‘Extorted for fear of Ruin, and thro’
‘Ignorance, and Non-suspicion of
‘the Acts consequent upon it, pre-
‘judges more against *our Liberties*,
‘than all *Secular Constitutions* could
‘possibly have done without it. And
‘must we *Now* consecrate all these
‘Procedures, the Results of which
‘we see in the *total Ruin of Ecclesi-*
‘*astical Discipline*, and *Christian Piety*,
‘by *Our voluntary Pleas*, and *Accla-*
‘*mations*. And to gratifie the *Civil*
Powers

Powers to an Arbitrary Utmost, violate the most Important Truths of Principles and Histories; treat the Synods of the Church with Spite and Contumely; and Recommend the greatest Slavery of her to the Appetite of Civil Powers.

This is a severe Charge, and a Man had need have a very Good Cause, or a very Impregnable Face, who treats Kings and Parliaments, Convocations and Clergymen after such a Rate. For, when all is done, it cannot be denied but that what that Convocation did, and that King and Parliament Enacted, was, after two intermediate Reigns, again Repeated in the First of Queen Elizabeth; is at this day Approv'd of by the Canons of King James the First; and allow'd of in the Nine and thirty Articles of Religion; to which this Author himself has more than once Subscribed. And methinks the consideration of that, if nothing else, might have induced him to have been more temperate in his Charge against me; who have defended no Other Authority in the Prince, than what both He, and I, and every Other Clergy-man of the Church of England, have

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have solemnly declared our *Assent* to, 39th. Can. and are obliged to our *Power to main-* First Can. *tain*.

But our *Author* does not intend to leave this *Point* so easily; his *Zeal* carries him yet farther in Opposition to the *King's Supremacy*. To say nothing of his fresh *Invectives* against that *King*, and that *Convocation*, which Ibid. p. 107. first began to assert the *Royal Authority*, against the *Invasions* which had so notoriously been made upon it: Pag. 110. He affirms the ' *Authority* ' of the Church in the *Convention*, ' *Freedom*, and *Acts* of *Synods*, to be ' of *Divine Right*. This he again insists upon, pag. 115. and in the next Page calls them ' *Divine Privileges*, ' *given by God*, and *granted to Priests*, ' *for the Conduct and Conservation of the* ' *Church*. And in the same Page, speaking of the Prince's breaking in upon these supposed Rights, he says; ' *Not only the Romish Church, but all* ' *Other Sectaries, and the Scotch Kirk* ' *illustriously scorn to admit any Servi-* ' *tude, notwithstanding not only Nati-* ' *onal Protection, but Promotion: being* ' *sensible that a Liberty of Religion, Go-* ' *vernment, and Church-Discipline, is* ' *more*

' more valuable than all worldly Wealth,
 ' or Interest; and without which they can-
 ' not apprehend any Protection to Reli-
 ' gion, or the Societies that Profess it.

From which last Words I suppose I shall not injure his Sense if I infer; that then, according to his Notion, the *Church of England* is really at present in a *Persecuted State*, and has been so ever since the *Reformation*: And cannot be look'd upon so much as a *Protected Church*, till this *Act* of the *Submission of the Clergy* shall be Repealed. A strange *Reflection* certainly! and very Unbecoming those manifold Blessings our *Church* has enjoy'd under its *Reformed Princes*; and does at this time Enjoy under her Glorious *Preserver*: Whose greatest Crime I am afraid it is, in some Mens Opinion, that he has delivered us from that *Slavery* into which we were running, tho' such as our new *Disciplinarians* seem to think the only way to a *Canonical Liberty*.

I must transcribe a great part of his *Book*, should I here Repeat all that this *Author* has said, in the most spiteful manner that he knew how to Express it, against all that plead for, or
 speak

speak well of, this part of the *King's*
Supremacy. See how he Harangues
 his Brethren of the *Clergy* upon this
 Occasion, P. 119. 'We, we only, says Comp. p. 155.
 he, 'are the Poor, Tame, Dis-spirited,
 'Drowsie Body; that are in love with
 'our Own Fetters: And this is the only
 'Scandalous Part of our Passive
 'Obedience; to be not only Silent, but
 'Content, with an Oc--n of our P--rs,
 'which are not forfeited, nor forfeitable
 'to any Worldly Powers whatsoever.

It might perhaps be here no Impro-
 per Question, to ask, what this Gentle-
 man means by so Warm an Applica-
 tion to the Whole Body of the *Clergy*?
 Whether he would have them take
 Heart upon the Matter, and having
 so Redoubted a *Champion* to lead them
 on, like true *Missionaries*, see what
 they can do to raise up a *Croisade* a-
 gainst these wicked *Magistrates*, who
 so unwarrantably Usurp upon the
Churches neither, forfeited nor forfeit-
 able, Powers? At least thus far, 'tis plain,
 he has gone towards it, that as he has
 before shewn the *Church* to be out of
 the *Protection* of the *Prince*, so he will
 by and by declare the *Prince* to be out
 of the *Bosom* of the *Church*; and by

B

Both,

Both, authentically qualified for a *Holy War* to be made upon Him. For thus he goes on; p. 122. 'Can a Claim of an Oppressive Supremacy be deem'd a Glorious Jewel in a Christian Crown, which if exercised, must of necessity forfeit the King's Salvation? And is it not a dangerous complaisance in Priests, to fan such an Ambition, as must End in the Ruin of the Church, the Priesthood, and the Soul of the Prince, which the Liberties, and Powers Hierarchical, were design'd to Convert, Direct, and Preserve?

But still it may be doubted how far he accounts the *King's Supremacy* to be Oppressive? That the whole Act of the Submission of the Clergy to King Henry the VIIIth falls under this Censure, we have already seen. In short, all that he thinks fit to be allow'd to the *Christian Prince*, is this: 'That the Church be oblig'd to acquaint him with her Desires, Reasons, Places, Seasons, and Necessaries of Convening: To petition his Leave and Favour; his Inspection, Assistance, and Succour to the Piety of her Designs: To secure him of her Fidelity to all his proper Honours

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Honours and Interests: That they will keep within Ecclesiastical Concerns; and do all things Openly, to the Glory of God, and the Good of Souls, in the Unity, Order, and Purity of the Church, preserved by the Rules of Catholick, and Canonical Communion; and this under the Guard and Watch of Temporal Powers.

Well, but what if the Prince shall not approve of the Reasons that are offered to Him, for their *Assembling*; nor think either the *Time* Convenient, or the *Place* Proper; and shall thereupon refuse Them the *Leave* they *Petition* for? What if He shall think their *Designs* not to be so *Pious* as they pretend, but rather to have a great *Allay* of *Humane Passion* and *Prejudice* in them? What if He shall differ with them in His *Notion* of what is his *Proper Honour* and *Interest*? May he in such a Case *forbid* them to *Meet*? May he *Assign* them some *Other Time* or *Place*? Or *Command* them not to meddle with such *Causes*, or *Persons*, as he shall judge his *Honour*, or *Interest*, to be *Concern'd* in?

What if what they call *Ecclesiastical Concerns* should chance to have an In-

fluence upon *Civil Affairs*? And that instead of *Preserving*, they shall *Act* so as to *divide the Unity* of the *Church*? May be, by the *Temporal Power* which is still left to Him, put a *stop* to their *Proceedings*; or *Annul* their *Acts*; or *Receive an Appeal* from their *Sentences*? On the contrary, He flatly tells us, 'That all the *Power of Calling*; ' *Moderating at, and Dissolving Synods*; ' of *Confirming their Acts*, or *Suspending their Sentences*; is *Negative of those Liberties and Authorities* of the ' *Church, which she once claim'd as of* ' *Divine Right*; and of which He before affirm'd, that they were neither *forfeited, nor forfeitable*.

And here then we have a plain Account of the Judgment of this *Author* in the *Case* before Us. I was willing, the rather, to put it together in this Place, that so by comparing it with what is said in the following *Collection*, the *Reader* may be the better enabled to judge, who has acted more sincerely upon the *Church of England's Principles*; I, in *Asserting the King's Supremacy*, as by *Law Establish'd*; or He, in his violent, and impetuous *Opposing* of it. Or, if this shall not be
thought

thought enough to convince those, who have been dissatisfied with my Undertaking, how close I have kept to our *Churches Doctrine*; let me then, for a final Proof, desire this *Author*, in his next Attempt, to satisfy the World in these (3) Points. 1st. Let him shew wherein I have ascribed any more, or Greater Power, to the Prince, than our *Laws* have given Him; and our *Convocations*, and *Clergy*, have either expressly, or by a plain Consequence, approved of, and declared to be his Right? 2^{dly}. Let him tell us, Wherein the *Opinion*, here advanced by Him, differs from that of our *Missionary Papists* and *Jesuits*, who have written against the *Supremacy*; and against whom our *Divines* have so Learnedly maintain'd the *King's Prerogative*? 3^{dly}. Let him inform Us, Whether any *Writers* of the *Church of England*, since the passing of this *Convocation Act*, have ever made any such *Exceptions*, as he has here done, against it; and charged it as *Destructive* of the *Divine Rights* and *Powers* of the *Church*: And who those *Writers* are? and in what *Books* they have done it?

Pag. 177.

By the 1, 2,
and 12. Can.

And This being done, if it shall appear that in any thing I have run into an undue Extreme, and, by that means, derogated from the *Churches Authority*; I shall then be ready to comply with the Advice he has given Me, and not only *humble my self before God for the Wrongs I have done the Church*, but publickly make a *Reparation* of them. But if, upon the Enquiry, it shall appear, that I have affirm'd nothing but what the *Law Establishes*; our *Convocations* have *Agreed* to; and our most *Eminent Clergy Men* have constantly *defended*; I must then be excused if I look upon my self to have done no more than in *Duty* I was bound to do; and, by Opposing whereof, I take this *Gentleman* not only to have acted contrary to the *Laws* of the *Land*, and the *Articles* and *Canons* of the *Church*; but to have actually incur'd an *Excommunication* for such his Offence.

Having said thus much with respect to the Subject of my late *Treatise*, I shall add but little more concerning the Design which is here laid for the Answering of it. As this *Author* has order'd the matter, it is become absolutely

lutely Necessary for Him to Go on with it. For having charged me with *Violating the most important Truths of Principles and Histories*; having told the World that I have *treated the Synods of the Church with Spite and Contumely*; and Recommended the *Greatest Slavery of Her to the Appetite of the Civil Powers*; (and every part of which Charge does, I conceive, Accuse Me of no small Crime) the Weight of this *Accusation* must fall very Heavy either upon *Him* or *Me*; and I look upon my self as concern'd to tell him, that I do expect he should *make it Good*, or Honestly own that he *cannot do it*.

Only for his own sake as well as mine, and which is yet more, for the Satisfaction of Those who shall think fit to Interest themselves in this Controversy; some few things there are which I would here Recommend to him; and they are such, as, in my Apprehension, ought not to be thought at all Unreasonable by Him.

And, 1st. Since this *Debate*, however managed, must be likely to Run out into a considerable Length, I would desire him not to Increase the

necessary Bulk of it, by alledging *Passages* out of the *Antient Fathers*; to prove that which Neither of Us make any doubt of. Thus p. 160. He produces the Authority of *Athanasius* to prove that the *Nicene Fathers* were not constrain'd, by any force that was laid upon them, to condemn *Arius*, but did it freely, and of their Own Accord. Now this I allow to be very true; but cannot help thinking it to be, in our present Case, very little to the Purpose. And p. 162. He cites a much larger Proof out of *Gregory Nazianzen*, the Appositeness of which to our Debate I cannot yet imagine; unless it be that He thinks all *Greek* to be equally *Pertinent* to most *Readers*; in which he is certainly in the Right.

2dly. I would intreat him not to insist upon any Testimonies of *Antiquity*, which have been already alledged again and again, by *Harding* and *Stapleton*; by *Saunders* and *Dorman*, and the Rest of our *Popish Fugitives*, in their Treatises against the *Oath of Supremacy*, and as often answer'd by Our *Writers*; unless he shall think fit, at the same time, to take Notice of their

their *Replies* to them, and shew that they do not destroy the force of His *Allegations*.

To what purpose, for example, does he bring the Sayings of *Asha*. P. 162.

nasius against the *Synod of Tyre*; of *Osius* against *Constantius*; of St. *Ambrose* against *Valentinian the Younger*; to us who know what has long since been Return'd to them by our learned : *Jewel* and || *Bilson*;

* *Whitgift* and † *Andrews*; and the rest of our *Writers* upon this Subject.

This may pass with those, who are Ignorant of these Matters, for a *specimen* of *Reading*; and they may, for a

while, look with *Wonder* on the *Unknown Character*; and applaud the learning of the *Text*, and *Margin*.

But when the *Common-place* shall be lay'd open, and they shall begin to discover out of whose *Magazine* these *Authorities* are Transcribed; and shall be convinced how often they have already been both *Alledged* and *Answered*; the most Charitable *Reader* will be apt to shake his Head, and think the worse both of the *Cause*, and the *Defenders* of it.

And

Def. of the Apolog. p. 590. 604. &c.

|| Bilson. p. 174. 179. 182. 184.

186. 200. * Whitgift.

† Tort. Torti. fol. 700.

169. 170.

And this I desire with relation to other Mens Writings: As for my own Book, *or* *if* *he* *had* *not* *only* *gally*, I would request him, when he *cites* my *Words*, but especially when he does it with a Design of *Reflecting* upon them, that he would take them as they lie; and not *leave out*, or *insert*, any that may have an Influence upon the *Sense* of what He quotes. Of the *former* of these I take my self to have some reason to complain, in his References of p. 100. and 101. of his Book. But of the *latter* yet more, p. 109. where He says, that I give the *Prince* Power to *suspend* not only the *Sentences* of *Synods*, but their *Canons* too; And of which I do assure the *Reader* he will not find the least mention in the Passages to which he is Referr'd.

But *ashly*, And to go yet farther; Would his design, or prejudices, give him leave, I could wish he would take care to distinguish a little better between what I *Relate* as matter of *History*, and what I deliver as my *own Sense*. It being easie to imagine that in a Work of such a Nature as that is which he has undertaken to

Ex-

Examine, many things may be Required from Others, which a Man is not bound *himself* to approve of. Had he used this Precaution, he would not have told his Reader, as he does, p. 160. that I charge the Synod of Ariminum with the Sin of Disobedience, for dissolving themselves without the Emperours leave: Whereas, in Truth, I only give a sincere Account of the Matter of Fact, and shew (from my Author) what those Fathers did, and what Resentments the Emperour had of it? What reasons those Holy Bishops had for returning to their Churches, after a tedious Absence, tho' not Licensed by Constantine so to do, it cannot be thought we at this Distance should be so well able to judge, as They, at that time were. And if they were Satisfied, that they had Reason so to do, far be it from me to Condemn them for preferring their Duty to their Flocks, before the Satisfaction of a Violent, and Heretical Prince.

Let me to this add, 5thly, As not very different from what I have now mentioned, such other Mistakes, as either want of Care, or the Heat of

Con-

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Pag. 6. 8. 49.
55.

Contention, has sometimes led him into; and by reason of which, he charges me with several things which I am by no means concern'd to admit of. Thus, for *Example*; It is not less than *four* several times that he Speaks of my *Definition* of a *Synod*: And in one Place censures me for the *Un-accuracy* of it, p. 49. And indeed a very loose *Definition* of a *Synod* it is, tho' fit enough to keep Company with that which Himself gives of it, in the same Place. But then it is a great Mistake, to say that I had any thoughts of *Defining* a *Synod* in the Place to which he refers. On the contrary I acknowledge the very *Meeting*, of which I there Speak, not to be what we *properly mean* by a *Synod*. Only I shew both from the *Persons* of which it *consisted*, and from the *Business* which it *met* about; that if the *Prince* has *Authority* over *such* an *Assembly* as that was, there is no Reason why he should not have an *equal Authority* over *Synods*; which both *consist* of the same *kind* of *Persons*, and *meet* about the *like Affairs*.

But

But 6thly, And to have done: There is yet one Thing more which I cannot but think to be worthy his Regard, and it is this; That before he draws up any more Charges of *Absurdities* and *Contradictions* against me, He would take some tollerable Care to examine Matters thoroughly; and to advise with some clearer Heads; and not charge That upon my Words, which is really the *Misfortune* of his own *Understanding*.

What a strange Confusion, for Example, is it, p. 166. because I prove from the *Matters of Fact* in the *first Ages* after the *Empire* became *Christian*; and from what was *orderly* and *regularly* done in those times too, the *Princes Supremacy*; to fancy that I had overthrown my own Foundation, by saying that in the *Dreggs of Popery*, and when *Princes* had lost their *Antient* and just *Authority*, many things were done by the *Clergy* in their *Synods* very *irregularly*; and their bare *doing* of which is by no means sufficient to prove that they had a *Right* to do it.

Again, p. 167. Because I cite *Emsebins* for an Expression of *Constantine's*,

See Euseb.
Vit. Const.
l. 1. p. 352.
Comp. p. 405.

time's, that he was *Bishop in things without the Church*; what strange *Logick* is it from thence to conclude that *Princes* have nothing to do in the *Affairs of Synods*? Whereas it is Notorious that those, above any thing, were the very Matters of which he Spake.

So, p. 168. I quote *Sotrates* for saying, that the *Greatest Synods* were called by the *Emperors*: Ergo, says he, 'tis plain that the *lesser Ones* were not?

Again, p. 169. I affirm that in peaceable Times, and under *Princes* who take Care of the *Church*, *Synods* ought not to meet but by the *Command* or *Allowance* of the *Civil Magistrate*. To this, he conceives it is a *Contradiction* to say, as yet I do, that in Cases of extreme *Necessity*, when *Princes* shall so far abuse their *Power*, as to render it absolutely needful for the *Clergy*, by some extraordinary *Methods*, to provide for the *Churches Welfare*; that *Necessity* will warrant their taking of them.—And again; Because I assert that in *quiet Times*, and under a *Pious, Christian Prince*, the *Prince* is to judge, when it is proper for
Synods

Synods to meet : to this he fancies it to be a Contradiction to allow, that when the *Danger* is *apparent*, and the *Necessities* of the *Church* will not bear the farther delay of Them, if the *Prince* does refuse to let them meet, they must rather venture his Displeasure, and do it of themselves, than be wanting, in such Circumstances, to the *Churches Safety* and *Preservation*.

These are some of those *Absurdities* which this *Ingenious Writer* has been pleased to lay to my Charge. Many more there are of the like kind; and by which whether he has more exposed *my Weakness*, or *his Own*, I am very well Content to leave it to any impartial *Reader* to judge. Pag. 177.

It is one of the *ill Effects* that commonly attend *Controversial Writings*, that it is very Difficult to manage them either with that *Temper* and *Ingenuity* that becomes *Scholars*, or with that *Charity* that good *Christians* ought to do. And 'tis this has given me almost as great a Disgust at them, as ever *Gregory Nazianzen* profess'd himself to have against *Synods*,
and

and that almost upon the same Account. *Pride* and *Ill-Nature* commonly Domineer in them; and sometimes it so falls out that an *Opponent* must be freely dealt with, or a good *Cause* must suffer in the Opinion of a great Many, who conclude that a Man therefore only spares his *Adversary*, because he could not get an Advantage against him.

How far I have fallen under this Censure, in the Management of the present Controversy, I must submit it to others to judge; but do hope I have not so far Transgress'd, as this late *Author* charges me to have done. As for the *Logick*, *Law*, and *History*, of the Person I had to deal with, What *it really is*, I pretend not to say; What *it appear'd to me to be*, my *Book* has shewn: And if I have any where fail'd in my *Allegations* against him, this *Gentleman*, no doubt, will take care to call me to Account for it. But *Honesty* is a tender Point; and I do not remember I have any where touch'd upon it. 'Tis true I have shewn, what was indeed too plain to be deny'd, that whosoever he were that Wrote that *Pamphlet*, he could be

be no Friend to our *present Establishment*. And this I am sure was to my Purpose to observe, how little so ever it was to his, to have it so plainly Discover'd. However, if in any thing I have been Mistaken in my Judgment either of his *Affections*, or his *Abilities*, I am heartily sorry for it; and shall be ready to submit to whatsoever *Penance* his most *Upright*, *Logical*, *Historical* Second, shall, from his better skill in *Antiquity*, and the *Laws* of our *Church*, think fit to lay upon me for it.

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AN APPEAL

To all the
True Members
OF THE

Church of England, &c.

AFTER an Age and half's
Dispute with those of the
Church of Rome, in Defence
of the *King's Supremacy*, and
of the *Laws* that have been made for
the *Establishment* of it; it cannot but
seem a little strange to Us, to be Now
call'd upon to begin the Controversy
again, with some among our selves,
who would be thought the *Best*, if not
the *only True Members*, of the *Church*
of *England*.

¶ I.

But that which seems yet more a-
mazing is, that tho' our *Laws* subsist

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in the same State which they have been in ever since the *Reformation*; Our *Articles* and *Canons* made in pursuance of those *Laws* continue firm, and unrepealed: Tho' the *Books* that have been written by our *Bishops*, and *Clergy*, in defence of *Both*, are not only not *Censured*, but are *Read*, *Approved*, and *Received* on all hands, as delivering the undoubted *Sense* of our *Church* and *Convocations*, as well as of our *Princes* and *Parliaments*, with relation to this matter; it should now, nevertheless, be thought a *Crime* to assert the *Supremacy* of the *Christian Magistrate*; and a *Scandal* for a *Clergy-Man*, more especially, to appear in behalf of that *Cause*, by defending whereof so much *Honour* has been gain'd, by the greatest *Writers* of that *Order*, heretofore.

Had we now to do with the same *Adversaries* that those *Learned Men* were engaged with; Were the *Persons* who, in Our days, set up against the *Rights* of the *Prince*, either open *Romanists* on the one hand, or avowed Members of the *Kirk* and *Consistory* on the Other; we should the less wonder either at the *Principles* which they

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they *Advance*, or the *Zeal* with which they appear in Favour of them. But to be Summon'd by *Members* of our *Own Communion* to defend the *Doctrine* of our *Own Canons* and *Articles*; to be rail'd at as little better than *Apostates* from the *Church Catholick*, for pretending to Vindicate the *Constitution* of the *Church of England*, as by *Law Establish'd*; this is a *Novelty* which we know not what to make of, a *Prodigy* becoming a *Time*, and *Place*, of *Wonders*.

To lay open the Design of this *New Attempt*, and which may otherwise, in time, improve into *Another Schism*, and produce us a *Third Church of England*, compos'd only of such Persons as will disclaim all *Authority* of the *Civil-Magistrate*, from having any thing to do in *Matters of Religion*; it may possibly be of some Use to represent to such, as have not yet lay'd aside all Regard to Her, the plain Sense of our *Reformed Church*, in the *Points* under *Debate*; and shew them from whom I received the *Doctrine* which I have asserted, in Vindication of the *Kings Supremacy*. And having done this,

§ 2.

I cannot but hope that some of them will consider; what is the true Design of those who are so forward to pull down, what our *Wise* and *Pious Ancestors*, took so much care to Build: And whether the *Methods* we are now running so blindly into, must not end either in downright *Popery*, or *Fanaticism*, at the last.

§ 3.
The
Act of 25 H.
VIII. c. 19.

25. H. VIII.
c. 19.

When the Foundation was first laid for a regular *Reformation* of Religion among Us; One of the first things which those, who carry'd on that great Work, saw it needful to do, was, to restore the *Crown* to that *Authority*, which the Prevalence of the *Papal Power* had so notoriously deprived it of. In order hereunto, the *Convocation* having agreed to submit themselves to the *King*, an *Act of Parliament* was framed upon that *Submission*, in which, among Others, these four things were *Establish'd*. 1st. That the *Convocation* should from thenceforth be *Assembled* only by the *Kings Writ*. 2^{dly}. That it should make no *Canons*, or *Constitutions*, but by *Virtue* of the *Kings Licence*, first given them, so to do.

3^{dly}.

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3

addly. That having agreed on any *Canons* or *Constitutions*, they should yet neither *Publiss* nor *Execute* them, without the *Kings Confirmation* of them: Nor, 4thly; By his *Authority*, *Execute* any, but with these *Limitations*; That they be neither against the *Kings Prerogative*; nor against any *Common*, or *Statute Law*; nor, finally, in any other respect, contrary to the *Customs* of the *Realm*.

This *Act* being thus pass'd, continued in force all the time of King *Henry* the VIII. and his Son King *Edward* the VI. Queen *Mary* succeeding, and rescinding whatsoever her *Father*, or *Brother* had done, in prejudice of the *Romish Church*, abolish'd, among Others, this *Act* also. But her *Reign* ending within a few Years after; One of the first things done, by her *Sister* Queen *Elizabeth*, was to Revive such *Laws*, made by those two *Kings*, as were thought Necessary for the *Reformation* of the *Church*; and so this *Statute* was brought again in Force.

1 & 2 Ph.
& M. c. 2.

1 Eliz. c. 1.

The Title of that *Act* by which this *Statute* was revived, and the other *Authorities* therein express'd were

§ 5.

201 2112 011
 2112 011
 2112 011

JHIV.H. 86
 2112 011
 2112 011

1b Sect. 1. & 2.

Which I observe in answer to
 the Peevish cavils of a late Au-
 thor against me on this Ac-
 count: *Municip. Eccles. p.*
108. 176. See below. §. 39.

were again Annex'd to the Crown, is
 this; *An Act restoring to the Crown*
the ancient Jurisdiction over the E-
state Ecclesiastical and Spiritual, &c.
 And that taken from the Words of
 the *Act* its self; wherein the de-
 sign of this *Statute* is declared to be,
for the Restoring of the Rights, Juris-
dictions, and Preheminencies, apper-

taining to the Imperial
Crown of this Realm:
 And in another place;
To the Imperial Crown
of this Realm, of Right be-

longing and appertaining. And from
 which it is, I suppose, obvious to
 conclude, that in the Opinion of
 that *Parliament*, such an *Authority* o-
 ver our *Convocations*, as is before
 shewn to have been *Establish'd* by the
 25 *H. VIII. c. 19.* and was hereby
 again vested in the *Crown*; was not
 either *by that, or this, Statute*, first
 given to our *Kings*, but only Resto-
 red to them, as a part of their *Royal*
Jurisdiction over the State Ecclesiasti-
cal; and which did always, of right,
belong and appertain to them.

§ 6

The *Rights* of the *Crown* being thus
 once more, *by Law, Restored to it;*

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to secure them the better against any New Encroachments for the time to come, it seem'd good to this Parliament (after the Example of those of King Henry the VIII.) that an Oath should be framed, in Recognition of the Supremacy here declared to belong to our Royal Sovereigns; and be enjoyn'd to be taken by all Officers and Ministers Ecclesiastical and Temporal; as in the Act may more fully be seen. 'In this Oath, we solemnly testify and declare in our Conscience, that the King's Highness is the only Supreme Governour of this Realm, and of all other his Highness Dominions and Countries, as well in all Spiritual, or Ecclesiastical things, or Causes, as Temporal.---And we do promise, that, to our Power, we will assist and defend all Jurisdictions, Priviledges, Preeminences, and Authorities, granted, or belonging, to the Kings and Queens of this Kingdom; or United, and Annex'd, to the Imperial Crown of this Realm. Now this Oath being design'd, as both the Subject of it shews, and * the Words of the Act it self, expressly declare,

The Oath of Supremacy.

28. H. VIII. c. 10. and 35. H. VIII. c. 1.

1 ELIZ. c. 1. Sect. 7.

to

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to be for the better *Observation and Maintenance of that Statute*; it must follow, that the *Supremacy* which we there *Testify* in our *Conscience* to belong to our *Princes*, must be *Interpreted* by what that *Act* has *United and Annex'd* to the *Crown*; and so comprehend All that *Authority* of the *King* over his *Convocation*, which in the 25th. *H. VIII* was expressly *Restored* to our *Princes*; and which being again, by the *Repeal* of that *Act*, recovered from them, was by this present *Statute*, once more, *Re-settled* in the *Crown*, as it had been before.

Which all
Persons in *H.*
Orders, are, at
their *Ordina-*
tion, obliged
to do.

How those, who now appear so *Zealous* in *Opposition* to this *Authority*, and have probably more than Once, solemnly taken this *Oath*, will acquit themselves either before *God*, or the *World*, of a manifest *Violation* of it, by their present *Behaviour*, is past my skill to *Comprehend*: Unless, because some part of that *Oath* is now laid aside, they should chance to think, that therefore the whole *Obligation* of it is *cancelled*, even to those who have taken it in its former *Integrity*. But indeed
should

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Should we allow that there were some weight in this; yet since the *Laws* made in Defence of the *Kings Supremacy*, are still the same they ever were; our *Recognition* of it must be look'd upon to be the same too: And in renouncing all *Forreign Jurisdiction* in *Causes Ecclesiastical*, which We still do; we must be accounted as Effectually to acknowledge the *Kings Supremacy*, according to the *legal Notion* of it, as when we the most fully declared our *Assent* to it; tho' it should be granted, that we do not now so expressly Oblige our selves to the *Defense* of it, as we were heretofore wont to do.

See 1 of W. & M. c. 8.

And this I say with particular Respect to the *present State* of this *Oath*; for otherwise, as to what concerns Us of the *Clergy*, it cannot be doubted but that Our *Obligation*, as to the *Substance* of it, is still the same it ever was: The *Declaratory* part of this *Oath* being what we in *Terms* subscribe to, in the *first Article*, of the *39th Canon*; and the *Promissory*, no other than what is tied upon Us in the *rst Canon*, by an *Authority* which Our *Adversaries*, I conceive, will

1. Eliz. c. 1.

will not presume to except against. But not to insist upon the present *Obligation* of this *Oath*; thus much, at least, must be confess'd, (and that is enough for my Purpose) that All those who heretofore took the *Oath* of *Supremacy*, as it was first drawn up in the *Statute* of *Queen Elizabeth*, did thereby, without Question, both declare their *Approbation* of the *Kings Supremacy*, as by that *Act* *Establish'd*, and promise to their *Power*, to *Assist* and *Defend* it. But now this All our *Clergy*, and almost all Others who were admitted to any *Employ*, whether *Civil* or *Ecclesiastical* did do: And therefore it must be allow'd that till within these last ten Years, the *Authority* by me ascribed to the *King*, was not only agreeable to the *Sense* of the *Laiety*, but to that of the *Clergy* too; since every *Clergy Man* in the *Realm*, till then, did upon his *Oath*, both declare his *Approbation* of it, and *Engage* himself, to his *Power*, to *Defend* it. And how that *Authority* which was so *Universally* received and *acknowledged* by us, for so long a time, should now become so *Detestable* in it self, and so *Destructive*

—From the
1st of Eliz. to
the 1st of W.
and M. above
130 Years.

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fructive of the Rights and Liberties of the Church, I would desire these Gentlemen, if they can, to Inform Me.

It was about four Years after the Session of this Parliament, and the Passing of this Act, that the *Nine and Thirty Articles of Religion* were agreed upon in Convocation, and Published by the Queen's Authority. Of these the

§. 7.

The Nine and Thirty Articles.

37th relates to the Civil Magistrate; and is drawn up so exactly according to the Words, as well as Sense, of the Oath of Supremacy, that we cannot doubt but that the Convocation had a particular Respect thereunto, in the Framing of it. 'The Queen's Majesty hath the * Chief Power in this Realm of England, and Other her Dominions; unto whom the * Chief Government of All Estates of this Realm, whether they be Ecclesiastical, or Civil, in All Causes, doth appertain. So this Article determines: And what we are to Understand by Supreme Power, and Supreme Government, of all Estates, and in all Causes, Our Laws tell us; and from which we may be sure, neither the Queen, nor the Convocation, had any Intention to depart.

In the Latin Article it is Supreme.

But the Article goes on. 'Where we

' we attribute to the Queen's Majesty
 ' the Chief Government, by which Title
 ' We understand the Minds of some dan-
 ' gerous Folks to be Offended; We give
 ' not our Princes the Ministring either
 ' of God's Word, or of the Sacraments;
 ' the which thing the Injunctions also,
 ' set forth by Elizabeth our Queen do
 ' most plainly testifie: But that only
 ' Prerogative, which we see to have been
 ' given, always, to all Godly Princes,
 ' in Holy Scripture, by God himself;
 ' that they should Rule all Estates and
 ' Degrees committed to their Charge by
 ' God, whether they be Ecclesiastical or
 ' Temporal. —

And if you would know what Ra-
 ling of the Ecclesiastical Estate is here-
 by intended, the Injunctions to which
 the Article Referrs us will fully clear
 it; Where having first denied, as the
 Article also does, that by the Words
 of the Oath of Supremacy before-men-
 tion'd, the Kings or Queens of this
 Realm, possessors of the Crown, may
 challenge Authority and Power of
 Ministry of Divine Service in the
 Church; they declare, That Her Ma-
 jesty neither doth, nor ever will chal-
 lenge any Authority than what was
 ' chal-

challenged, and lately used, by the noble Kings of famous Memory, King Henry the VIII. and King Edward the VI. which is, and was of Antient time due to the Imperial Crown of this Realm; that is, under God, to have the Sovereignty and Rule over all manner of Persons born within these her Realms, Dominions and Countries, of what Estate, either Ecclesiastical or Temporal, soever they be.

These are the Words of the Queens Injunction, and agreeably whereunto, it is manifest, the Convocation design'd to frame this part of their Article, as they took the Oath of Supremacy for their Pattern in the foregoing. And in consequence whereof, as well as in conformity to the Laws of the Realm, then Establish'd, we must conclude, That this Power of calling and directing the Convocation being one main part of that Jurisdiction which was declared by Act of Parliament to belong to the Crown, and was accordingly Restored and Annex'd to it thereby; And having, as such, been challenged and used both by King Henry the VIII. and King Edward the VI. is also a part of that Supremacy which

D

the

the Convocation here intended to attribute to the Queen; as we are sure the Queen must have understood it to have been hereby ascribed to her.

¶ 8.

And of this I shall give a more particular Proof when I come to consider the *Notions* which this Queen, and her Clergy, had of her *Authority* as to this Matter. In the mean time I cannot but desire this *Late Writer*, and All Others, of the same Judgment with him, who have in like manner *Subscribed* these *Articles*, seriously to be-think themselves with what Conscience they did it; if they had in Good earnest so ill an Opinion, as they now pretend, of that *Power* which those *Articles*, most certainly, allow of, and profess to be due to the *Civil Magistrate*.

See p. 10.

Municip. Eccles. pag.
119.
* Especially if Graduated in the University too.

See Can. 36.

That the *Author* of the late *Treatise*, not so much against my Book, as against our *Laws*, and *Government*, must have * several times *Subscribed* these *Articles*, the Character of a *Minister*, which he takes to himself, sufficiently assures Us. No Man can be *Ordained* a *Deacon*, or *Priest*, without doing of it: Nor being in *Orders*, can be

Of the King's Supremacy.

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be admitted to any *Cure of Souls*, or to any Other *Ecclesiastical Administration* whatsoever, but he must again Repeat it.

The *Method* taken for performing of this *Subscription* is full, and positive. Forfirst, the *Substance* of what we are to *Subscribe* to, is drawn up into *three Articles*; whereof the *first*, and *third*, are these. 1. 'That the King's Majesty, under God, is the only Supreme Governor of this Realm, and of all other his Highness's Dominions and Countries, as well in all Spiritual or Ecclesiastical Things, or Causes, as Temporal, &c.——Which being the very Words of the Oath of Supremacy, must be taken in the same Sense, that I have before shewn, that Oath was to be Understood in.——And, 3. 'That we allow the Book of Articles of Religion---and acknowledge All and Every the Articles therein contain'd---to be agreeable to the Word of God. And then, to these Articles we subscribe in these very Words; 'I, S. H. do willingly, and ex animo, subscribe to these three Articles above mentioned, and to All things contained in them. He therefore who does this, either must sub-

D 2

scribe

ibid.

scribe to them against his Conscience; or he must, *thereby*, be concluded to profess this belief; That the *Authority* given to the *King* by *Our Laws*, and approved of in these *Articles*, is agreeable to the *Word of God*.

Can. v.

13 Eliz. c. 12.

The *Danger of Impugning* any of these *Articles*, is Great, and Unavoidable. To affirm them, in any part, to be *Superstitious*, or *Erroneous* (whether he who does it be found out or no) is by the *Canons* of our *Church*, *Excommunication ipso facto*. And if the *Offender* be discover'd, and fortunes to be a *Clergy-Man*, he is by the *Statute Law* of the *Realm* to be *convented* before his *Bishop* for it; and if he does not presently *Revoke* his *Error*, is, in the *First Instance*, to be *Deprived of All his Ecclesiastical Promotions*; and, in the *Second*, loses them without more ado.

This is the *Law* both of the *Church*, and of the *State*, in the present Case: And with what Conscience any *Clergy-Man*, beneficed in such a *Church*, can excuse himself for flying with so much *Virulence* in the Face both of these *Laws*, and of these *Canons*; I shall leave it to any One, who has any
Conscience

Conscience himself, though never so much prejudiced against the King's Supremacy, to consider.

To the *Articles of Religion*, set forth by *Queen Elizabeth*, let us add the next authentick Evidence of our Church's Sense, in this particular, the *Canons and Constitutions*, made by the Convocation in the first Year of King James I. Of these the very first is design'd to assert the 'Supreme Authority of the King's Majesty over the Church of England. In order whereunto it ordains, 'That All Persons Ecclesiastical, shall faithfully keep and observe, and, as much as in them lieth, shall cause to be observed, and kept of Others, All, and Singular Laws and Statutes, made for Restoring to the Crown of this Kingdom, the antient Jurisdiction over the State Ecclesiastical. Which last word being the very Title of the Act of the First of Queen Elizabeth, we must conclude the meaning of the Canon to be this; That they shall faithfully Observe the Laws referred to in that Statute, and do what in them lies, to cause All Others to Observe the same. Seeing then that Act of the 25 H. 8. c. 19. is

§. 9.
Of the Canons
of King James
the First.

One of those which is there expressly Revived, it will follow, that it expressly comes within the *Words* of this *Canon*; and that the *Powers* therein annexed to the Crown over the Convocation, are hereby approv'd and allow'd of, as part of that *Antient Jurisdiction* which always, of *Right*, belong'd to our *Kings* over the *Estate Ecclesiastical*.

Comp. Munic.
Ecclef. pag.
165.

But the next *Canon* is more express, and will come more fully up to our present purpose. Its design is to 'Re-
'strain the Impugners of the King's
'Supremacy over the Church of Eng-
'land: And thus it runs, in our Eng-
lish Version of it. 'Whosoever shall
'hereafter affirm that the King's Maje-
'sty hath not the same Authority, in
'Causes Ecclesiastical, that the Godly
'Kings had amongst the Jews, and Chri-
'stian Emperors in the Primitive
'Church; Or impeach any part of the
'Regal Supremacy in the said Causes,
'Restored to the Crown, and by the
'Laws of this Realm therein Establish-
'ed, let him be Excommunicated ipso
'facto, and not Restored but only by the
'Archbishop, after his Repentance, and
'Publick Revocation of those his Wicked
'Errors.

It

Of the Kings Supremacy.

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It is plain by comparing of these two *Canons* together, that the design of the *Convocation* was, in the First, to *Declare*, and *Affert* the *King's Supremacy*, and to oblige the *Clergy* to a *strict*, and *diligent* Observance of it : By the Second, to *Restrain* all sorts of *Persons*, from *denying*, or otherwise endeavouring to *hurt*, or *extenuate*, the *Legal Notion* of it. And two things there are which will deserve to be taken notice of in this Second *Canon* ; First, What that *Supremacy* is which our *Convocation* was so careful to *Affert*, and *Defend* ? And Secondly, What it is to *Impugn* this *Supremacy*, within the meaning of this *Canon* ?

First, As for the former of these, the *Supremacy* here meant ; two *Rules* there are delivered by this *Canon*, whereby we may come to a Right Understanding of it. First, It is that *Authority* over the *Estate Ecclesiastical*, which by the *Statutes* of King *Henry* the Eighth, and King *Edward* the Sixth, was Restored, and by the *Act* of *Queen Elizabeth* Confirm'd, as of Right belonging, to the *Imperial Crown* of this *Realm*. And, Secondly : It is such a *Power*, in matters of *Religion*,

as the Godly Kings had amongst the Jews, and Christian Emperors in the Primitive Church. And from which, by the way, it may be Observed, what good Reason I had to enquire into the Authority of the Christian Emperors in these Cases; and to argue from thence in behalf of that Power which our Church ascribes to our Own Princes, on the like Occasions; How much soever some Men may slight such Proofs, as being sensible that they are not to be Answer'd.

Secondly, To impugn this Supremacy, within the meaning of this Canon; is either, first, to deny Altogether, this Authority; and affirm, that the King either has not, or ought not to have, any such Power: Or it is, secondly, By any other means to Impugn (or, as the Latin Canon has it more plainly) to Extenuate, or Hurt this Supremacy: Which, I conceive, is then done when Men Write and Argue against it; when they Censure the Laws for Establishing of it; and Damn the Prince, so long as he shall continue to Exercise it, according to those Laws.

But

Municip. Eccles. chap. x.
p. 126.

Page 122, 155,
176.

But these are not the only *Canons* which justify what I have written in Defence of the *King's Supremacy*, and Condemn those who appear against it. The Twelfth is yet more express to my particular Case, and will shew what the Sense of our Church is, concerning those who *Abet* the, now so much magnified, *Opinion*, on the other side. *'Whosoever shall affirm that it is lawful [Cuivis Ministrorum aut Laicorum Ordini, vel Eorum alterutris simul Congregatis ;] for any Sort, [Rank, or Degree] of Ministers, or Laics, or for either of them Gathered together ; to make Canons, Decrees, or Constitutions concerning Ecclesiastical things, without the King's Authority ; and shall submit themselves to be Ruled and Govern'd by them, let them be Excommunicated ipso facto ; and not be Restored until they Repent, and publicly Revoke those their Wicked and Anabaptistical Errors.*

For if, in the Opinion of our Church, it be necessary for the *Clergy* to have Authority from the *King* to meet on such Occasions ; If to say that any *Persons*, of what Order soever they be, may without his *Licence* make any *Canons*,

Canons, Decrees or Constitutions Ecclesiastical; nay or but even submit themselves to be govern'd by such as shall be so made, be a *Wicked, Anabaptistical, Error*; and for which a Man deserves to be cast out of the *Communion* of our *Church*; then it must without all Question be allow'd, that according to the *Doctrine* Establish'd among Us, the *Clergy* can neither *Meet* nor *Act*, but with the King's *Permission*: Nor ought we to account those *Constitutions* of any *Authority*, which any Persons shall make without his leave; or, as such submit to them; how much soever they may please to cry up their *Divine Powers*, and *Unalienable Rights*, to justify their *Irregular*, and *Anabaptistical Proceedings*.

§ 10. The Sentence of both these last *Canons* is, That they who Offend against them are to be, *ipso facto Excommunicated*: And concerning which I shall only observe thus much; first, that in such a Case there is no need of any *Admonition*, as where the Judge is to give Sentence; but every One is to take notice of the *Law* at his *Peril*, and see that he be not overtaken

Excommuni-
cation Ipso fa-
cto.

Cap. 26. Ext.
de Appellat.

taken by it. And, Secondly; That there is no need of any *Sentence* to be pronounced, Which the *Canon* it self has *pass'd*; and which is by that Means already *Promulged* upon every One, as soon as he comes within the *Obligation* of it. In other Cases, a Man may do things worthy of Censure, and yet behave himself so warily in Them, as to escape the *Punishment* of the *Church*, for want of a *legal Evidence* to *convict* him. But, *Excommunicatio Canonis, Ligat etiam Occulta delicta*: Where the *Canon* gives *Sentence*, there is no escaping; but the *Conscience* of every Man becomes *Obliged* by it, as soon as ever he is *Sensible* that he has done that which was forbidden under the Pain of *such* an *Excommunication*.

To these *Canons* relating to the *Kings Supremacy*, I might add those which speak of the *Authority* of our *Synods*, and there again *Expressly* provide for the *Princes Rights*.

Thus *Can. 139.* the *Church* affirms the *Assembling* of *Synods*, to be by the *Kings Authority*. In the *140th*, she acknowledges the *Necessity* of his *Licence*, both for the *Making* and *Ratifying*

*An Appeal, &c. in behalf
 tifying of her Decrees, in Causes Eccle-
 siastical. And Can. 141. Censures
 such as shall, upon this Account, un-
 dervalue the A&S of our Synods, in
 these Words: 'Whosoever shall affirm
 ' that their Proceedings in making of
 ' Canons and Constitutions, in Causes
 ' Ecclesiastical, by the Kings Authori-
 ' ty, as aforesaid, ought to be Despised
 ' and Contemned; the same being Ra-
 ' tified and Enjoyn'd, by the said re-
 ' gal Power, Supremacy and Autho-
 ' rity; let them be Excommunicated,
 ' and not Restored untill they Repent,
 ' and publicly Revoke that their wicked
 ' Errour.*

But in a Case so plain I shall not
 need to insist on any more Proofs;
 and therefore shall content my self
 to observe, that the Title given by
publick Authority to these Canons, is this:
 'Constitutions or Canons Ecclesiastical;
 ' by the Bishop of London, President of
 ' the Synod for the Province of Can-
 ' terbury, and the rest of the Bishops
 ' and Clergy of the same Province, by
 ' the Kings Authority, Created and Con-
 ' cluded upon: In their Synod, &c.
 ' --- Afterwards, by the same Royal Ma-
 ' jesty, Approved, Ratified and Con-
 ' firmed;

Of the Kings Supremacy.

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'firm'd; and by the Authority of the
'same, under the Great Seal of Eng-
'land, Promulged, to be diligently
'observed thro' both Provinces, as
'well of Canterbury, as York. This
is the true Title given to these Canons:
And was fit to be thus particularly
taken notice of, because in our Eng-
lish Book of Canons, which is of most
common Use, this *Inscription* (as well
as many of the *Canons* themselves) is
very imperfectly rendred, and may
be apt to lead Men into some mi-
stakes concerning these, as well as
other Matters. It were easie to make
several Observations, to our present
Purpose, upon the several Parts of
this truly *Accurate*, and *Legal*, Title:
But I shall chuse rather to express
the process of this *Convocation*, in
the Words of an *Author*, who may
perhaps be less liable to Exception; and
whose account of it is this: *That the*
'Clergy being met in their Convoca-
'tion, according to the Tenour and Ef-
'fect of his Majesties Writ, his Ma-
'jesty was pleased, by Vertue of his Pre-
'rogative Royal, and Supreme Au-
'thority in Causes Ecclesiastical, to
'give and grant unto Them, by his Let-
'ters

Heylin Ref.
justified. p. 19.
20.

'ters Patents, dated April 12. and
 'June 25. full, free, and lawful Liber-
 'ty, Licence, Power and Authority,
 'to Convene, Treat, Debate, Con-
 'sider, Consult and Agree upon such
 'Canons, Orders, Ordinances, and
 'Constitutions, as they should think ne-
 'cessary, fit, and convenient, for the
 'Honour and Service of Almighty God,
 'the good and quiet of the Church, and
 'the better Government thereof from
 'time to time &c. -- Which being Agree-
 'ed on by the Clergy, and by them pre-
 'sented to the King, humbly requiring
 'him to give his Royal Assent unto
 'them, according to the Statute made
 'in the 25 of King Henry VIII. and by
 'his Majesties Prerogative and Su-
 'preme Authority, in Ecclesiastical
 'Causes, to Ratifie and Confirm the
 'same; His Majesty was graciously plea-
 'sed to Confirm and Ratifie them by
 'his Letters Patents -- straightly com-
 'manding, and requiring, all his loving
 'Subjects, diligently to observe, exe-
 'cute and keep the same, &c. --

And here I shall put an end to my
 first kind of Proofs, in Defence of that
 Authority which I have ascribed to
 our Kings, over the Convocations of the
 Clergy

Clergy of the Church, and Realm, of England. I proceed in the next place more fully to confirm this Authority to be agreeable to the Doctrine of our Church; from the Testimony's of our most learned Divines, who have written upon this Subject, from the beginning of the Reformation, to our Own times.

II.

It has been the Endeavour of some of late who would be thought still to retain a good Affection to the Reformed Religion, nevertheless to cast the worst Aspersions they are able, upon those who were the chief Instruments of God's Providence in the Reformation of it. What their design in this their Procedure is, or how, upon the Principles now set on Foot, to justify what was heretofore done among us as to this Matter; or indeed, without a Miracle, ever to have had any thing at all done in it, I cannot tell. It being certain that such a Convocation, as they now seem alone to allow of as Canonical, would never have departed from the Way that they were in; or have endured any Proposals tending to such a Change,

§ II.

The Testimony of our Clergy in defence of this Supremacy.

Municip. Eccles. pag. 55.

Change, as was otherwise happily made among Us. But however since such is their Prejudice, both against the *Opinions*, and *Actions*, of our first *Reformers*, I will so far comply with their unreasonable Humours, as to pass lightly over those Times of *Church Servitude*, as well as *Church Reformation*; and come to such *Authorities*, as, I suppose, they will not have the Confidence to except against.

§ 12.

 of K. H. 8. &
 Q. Mary.

Institution of a Christian Man: Anno. 1537.
See the Convocations Address to the King; subscribed by both Houses.

To pass by then the *Opinion* of the *Convocation*, which, about 3 Years after the *Submission* made to King Henry the VIII. set out the first *Doctrinal Treatise* that led the Way to the Discovery, and Renuntiation, of the *Popish Errors*. What shall we say to the *Publick Declaration* made by King Henry himself against the *Council of Mantua*; and in which He cannot be supposed to have Spoken any thing but what, he thought, carry'd its Own Evidence along with it?

[Regis, senatus, populiq;
 Angliæ sententia de Concilio, &c. Witebergæ, Anno 1537. A. 5.]

|| 'In times past, says He, All Councils were appointed by the Authority, Consent and Commandment, of the Emperours,

perours, Kings and Princes. *Why now taketh the Bishop of Rome this upon him? Wherefore we think it best* Ib. B. 5.
that every Prince call a Council Provincial, and every Prince so Redress his Own Realm.

And this he Spake not of his own Head, but with the Advice of his Bishops and Clergy; of the former of which, all but two, subscribed to the Instrument which was presented to him upon this Occasion. And when notwithstanding this, he was again Solicited by the *Emperour*, and some other *Princes*, the Year after, either himself to come, or to send his *Ambassadors* to it; He again renew'd his former *Protestation*, and made again the same *Exceptions* against it.

Bishop Burnet.
 Hist. Ref. Vol.
 1. App. p. 155.
 156.

Nor in this did he do any more, than some even of his *Popish Bishops* had before approved; and that on such Occasions, wherein it cannot be pretended that any Force was laid upon them. I shall in proof of this, alledge only the Letter of *Tonstal* and *Stokesly* to *Cardinal Poole*; in which the *Authority* of the *Christian Prince*, over the *Convocations* of his *Clergy*, is fully asserted; and proved from the

Regis Angl.
 Epistola de Synod. Vincentina.
 Vitebergæ
 Anno. 1539.

Municip. Eccles. Pref.
 Fox Mart. 2
 Vol. 347.

E like

allied to
the
same

Fox Ibid. 3
Vol. p. 19. 29.

Serape. Hist.
of A. B. Cran-
mer. p. 368.

like Instances of the Antient Kings and Emperours, that I have made use of to the same purpose. And tho' Queen Mary in her Zeal to the Papal Interest, repealed whatever Acts had been pass'd by her Father and Brother against it, and this of the Submission of the Clergy among the Rest; yet she did not therefore give up the Power over her Synods; but still continued it, according to the Substance of that Statute: As is evident from her Calling and Dissolving, not only the first Convocation of her Reign, but of that which was held two Years after; and to Assemble which Cardinal Pool himself had her Licence; as he also had to make such Canons, as should be thought needful, in it.

QUEEN ELIZABETH.

§ 13.

But I will not tarry any longer in these Times, but pass forward to that of the next Reign; in which the Reformation was both more regularly carry'd on, and at last brought to the State in which it continues at this Day.

Queen

Of the King's Supremacy.

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Queen Mary having, as I observed, abolish'd whatever Laws had been made in the two preceding Reigns in Derogation to the Papal Usurpations; the first Thing done by Queen Elizabeth was, to set the Crown again upon its antient Foundation; and to Restore it to that Jurisdiction over the Estate Ecclesiastical, which of right belong'd to it. This was the Work of the very first Act that pass'd in her Reign; and by Vertue whereof the Statute made 25th Henry the VIII. c. 19. to Ratifie the Submission of the Clergy, was brought again in Force.

The Parli-
ment.

I have before observed what care was taken by this Parliament to secure these Rights of the Crown, by an Oath then Establish'd, under the Title of the Oath of Supremacy. I must now add, that the more to oblige the Clergy to a due Observance of them, the Queen her self, this same Year, set out her Injunctions, and in the very first Place took care, of her Supremacy in them. For thus the Injunctions begin: 'That all Deans,

The Queen

Archdeacons, Parsons, Vicars, and all other Ecclesiastical Persons, shall faithfully keep and observe; and, as

Sparrow's Case
123. p. 67.

'far as in Them may lie, shall cause to
'be observed and kept of Other, all and
'singular Laws and Statutes made
'for the Restoring of the Crown, the
'Antient Jurisdiction over the State
'Ecclesiastical. And that this Power
over the Convocation was one Branch
of it, the Revival of the Law of King
Henry the VIII. relating to it, which
was made the same Year, and in
that very Act whose Title the Injun-
ction transcribes, is a Proof not to be
gain-said.

1. Eliz. c. 1.

§ 14.

It is evident then that this Queen,
as well as her Parliament, looked up-
on this Power to be not only no U-
surpation upon the Churches Privi-
ledges, but to be a part of that Juris-
diction which had always of Right be-
long'd to the Crown; and was Usurp'd
from it in the Times of Popery. And
so, in the next place, did her Bishops
too. For however being not yet as-
sembled in Convocation, they could
not so Authoritatively settle the Ar-
ticles of Religion as shortly after they
did; yet being met together, they
agreed upon certain Articles to be sent
to their Clergy, and by them pub-
lish'd to the People, in the mean time,
till

All the Bishops
together.

Bishop Burnet
Hist. of the Re-
form. 2 Vol. Ap-
pend. p. 365.
366.

Of the King's Supremacy.

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till a *Convocation* should be call'd, to consider farther of this Matter. In the 7th of these their *Articles* they treat of the *Power* of the *Civil Magistrate*: And therein require their *Clergy* to acknowledge the *Queens Majesties Prerogative, and Superiority of Government, of all Estates, as well Ecclesiastical as Temporal,---to be Agreeable to God's Word; and of Right to appertain to her Highness, in such sort as in the late Act of Parliament is express'd; and Sithence by her Majesties Injunctions, Declared and Expounded.*

1 Eliz. c. 1.

It would be needless to observe that the *Act* of *Parliament* here refer'd to is that of the same Year, made for the Restoring the *Crown* to its *Jurisdiction* over the *Estate Ecclesiastical*; and by which the so often mention'd *Act* of *King Henry the VIII.* was expressly *Revived*. As for the *Queen's Injunctions*, I have already shewn that where they Treat of this Matter the most Favourably, they nevertheless assert the same *Power* to the *Queen* that *King Henry the VIII.* and *King Edward the VI.* challenged, and used: And what that was, in the particular

Sparrows Col-
lect. pag. 83.

*See Municip.
Eccles. p. 107.*

under Debate, is not doubted of, or deny'd by those, who the most oppose Us in the *present Vindication* of it.

So that here then we have in our first Entry upon this Reign; the *Queen*, the *Parliament*, and the *Bishops*, All approving of, and confirming this *Authority*. And so they continued, all her Time, to do: There being hardly any Controversy either more largely Debated, or more accurately Handled, than this of the *Royal Supremacy*; against which our Adversaries, on both sides, appear'd with all their Skill, and were as effectually Answer'd, by the *Greatest*, and *most Learned*, of our Church.

§ 15.
A. B.
Whitgift.

*Defence of the
Answer to the
Admonition,
&c.*

Whitgift.

Among these, as there was no one higher in Dignity, so neither was there any more Eminent both for his *Abilities*, and *good Affections* to the *Church of England*, than Archbishop *Whitgift*: And whose Controversy with the *Puritans*, is one of the most learned, and judicious *Works*, of those Days. In this, the *xxth Tract*, is wholly spent in the defence of the *Princes Right in Ecclesiastical Matters*: Wherein having charged his Adversaries with holding the *Po-*
pish

first Opinions, and even using their very Arguments; He tells them, 'Pag. 698, 699. *That the continual Practice of the Christian Churches, (in the time of Christian Magistrates) before the Usurpation of the Bishop of Rome, was, to give Christian Princes Supreme Authority in making Ecclesiastical Orders, and Laws; yea, and which is more, in Deciding of Matters of Religion, even in the Chief and Principle Points.* This he proves by several Instances; and then concludes in these very Words, 'whereby it appeareth, that the chief Authority in--Councils, was given to the Emperour, and that He was esteem'd as the chief Judge.

In his next Division he shews, *Ib. p. 700. that the learned and antient Fathers, have committed the Matters of Controversy to Emperours. And then adds, The Practice therefore of the Authority of Princes in Ecclesiastical Matters, even in Determining and Judging Controversies in Religion, you might have learnt by these Examples in Ambrose time.*

Whose Authority the Muni-

cip. Eccles. also, brings against it; p. 163, 164.

Ib. pag. 701.

See Municip. Ecclef.
p. 173. very Foolishly, as
well as Disrespectful, as
to this Matter.

Against this T. C. then objected,
as some others (from their Pattern)
do now, the disability of *Princes* to
Decree of what pertains to
the Church. The *Archbishop*
replies: 'That the Deb-
'ing, and Deciding of Mat-
'ters in Religion by Bishops,
'doth not derogate from the Prince's Au-
'thority. No Godly Princes, having
'Godly Bishops, and Ministers of the
'Church, will alter, or change, deter-
'mine, or appoint, any thing in Mat-
'ters of Religion, without their Ad-
'vice and Counsel. But how if there
'be Dissention among them? Shall not
'the Prince determine the Controversie,
'as Constantinus, Theodosius, and
'other Godly Emperours did?

Pag 701.

In short; to T. C.'s Endeavour to
clear the *Puritans* from running in
with the *Papists* in this Particular, the
Archbishop thus replies. 'Concerning
'the Determination of Matters in Re-
'ligion, I know not wherein you differ
'from them. For tho' the Prince mis-
'likes your Determination, yet can
'be not Himself conclude any thing;
'only he may compel you to go to it again,
'and take better hold: But if it shall
'please

I please you to Go forward in your De-
 termination, or if you cannot Agree
 among your selves, I see not what Au-
 thority you have given the Civil Ma-
 gistrate to Determine the matter ;
 but for ought I can espy, if you and your
 Seniors be disposed to be peevish, eisher
 must the Prince have no Religion, or
 such as you shall appoint unto Him.
 For potestatem Facti you have given
 Him, that is, you make him your Exe-
 cutioner ; but Potestatem Juris you do
 as fully Remove from him as the Pa-
 pists do : For he hath not, as you say,
 any Authority to make Orders, or
 Laws, in Ecclesiastical Matters.

Thus this great Assertor both of
 the Prince's, and of the Church's
 Power. To him let me add, his Suc-
 cessor, both in the See of Canterbury,
 and in this Controversy, *Archbishop*
Bancroft : Who, in his Survey of the
 Pretended Holy Discipline, thus marks
 out those Parts of it, which he look'd
 upon to be prejudicial to the Regal
 Authority. ' No Civil Magistrate hath
 Pre-eminence (by Ordinary Authority)
 to determine Church Causes. No
 Chief Magistrate, in Councils, or
 Assemblies for Church Matters, can
 either

§. 16.

Archbishop
Bancroft.

See the Sur-
 vey, &c. chap.
 xxii, xxiii.

'either be Chief Moderator, Over-
 'Ruler, Judge, or Determiner. No
 'Civil Magistrate *bath* such Authori-
 'ty, that without his Consent it should
 'not be Lawful for Ecclesiastical Per-
 'sons, to make any Church-Order, or
 'Ceremony. The Judgment of Church
 'Matters pertaineth to God: The Prin-
 'cipality, or Direction of the Judgment
 'of them, is, by God's Ordinance, per-
 'taining to the Ministers of the Church.
 'As they meddle not with the making of
 'Civil Laws, and Laws for the Com-
 'monwealth, so the Civil Magistrate
 'bath not to Ordain Ceremonies per-
 'taining to the Church.

Page 259.

These he calls *Puritane-Popish*
Affertions; and says, that they do
 much derogate 'from the Lawful Au-
 'thority of Christian Princes. There
 'is but this only Difference betwixt
 'them, and the Rankest Jesuits in Eu-
 'rope; that what the One sort ascribe to
 'the Pope and his Shavelings; the O-
 'thers challenge to Themselves, and their
 'Aldermen.

Page 267.

For the better clearing of which,
 he compares their *Principles* together:
 And thus He sets down the *Puritane*
Hypothesis, from their Own Stating of
 it.

it. *The Prince may call a Council of
the Ministry, and appoint both the
Time, and Hours, for the same—
He may be assistant there, and have his
Voice, but he may not be either Mo-
derator, Determiner, or Judge. Nei-
ther may the Orders, or Decrees there
made, be said to have been done by the
Prince's Authority. — They are to
Defend Councils, being Assembled.
If any One behave themselves there Tu-
multuously, or otherwise Disorderly,
the Prince may Punish him. Lastly,
He not only may, but Ought to, Con-
firm the Decrees of such Councils,
and see them Executed, and punish the
Contemners of them.*

Thus far Mr. Cartwright : And in
the next Page, the Archbishop shews
that the *Papists* say the very same
things ; and of both He affirms in his
following Chapter, that *Hereby they* P. 152
*Exclude Christian Princes from their
Lawful Authority in Causes Eccle-
siastical.*

Having thus seen what these Ma-
sters of the Consistory allow to Christian
Princes in Ecclesiastical Matters, it might
not perhaps be improper for me to ask
of our New Disciplinarians, wherein
they

Municip. Ec-
cle. p. 123,
124

and q. bid.

they differ from them in the *Point* before us. But, indeed, it is clear, that if there be any Difference at all between them, it consists in this, That those Men, as bad as they were, yet really allow'd more *Authority* to the *Civil Magistrate* over their *Church Assemblies*, than our *Modern Disputers* are willing to afford him over Our *Convocations*. And then I shall leave it to any one to judge, what those Great *Prelates* would have said of these, who Wrote so severely, as we have seen, against *Those*.

§. 17.

From these *Archbishops* of the See of *Canterbury*, let us descend to two of their *Suffragan Bishops*; and engaged against *Another Party*, tho' still in Defence of the same *Authority*; viz. *Jewell*, Bishop of *Salisbury*, and *Bilson* Bishop of *Winchester*.

Bishop Jewell.

Jewell Def. of
the Apolog. p.
582.

As for the former of these, our Learn'd *Jewell*, he thus declares to us the *Right* of the *Prince*, in the Defence of his *Apology*, against *Harding*.

Page 582. 'The Christian Emperors
'in the Old time appointed the Coun-
'cils of Bishops.Continually for the
'space of 500 Tears, the Emperor a-
'lone

Ibid. p. 592.

Of the Kings Supremacy.

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‘*alone appointed the Ecclesiastical Assemblies, and call’d the Councils of the Bishops together.*

‘*As for Right of Place, and Voice* Pag. 558.

‘*in Council, it pertaineth no less to the Prince, than to the Pope.----The Em-* Ibid. p. 600.

‘*peror Theodosius, as saith Socrates, did not only Sit among the Bishops, but also order’d the whole Arguing of the Cause; and tare in pieces the Hereticks Books, and allow’d for Good the Judgment of the Catholicks.*

‘*But ye say, they Sate as Assessors* Pag. 597.

‘*only, not as Judges: That is to say, they Sate by the Bishops, and held their Peace, and told the Clock, and said nothing.*

‘*The Lay Prince hath had Autho-* Ibid. p. 604.

‘*rity in Council, not only to Consent, and Agree unto Others, but also to define and determine; and that in Cases of Religion; as by many Evident Examples it may appear.*

‘*In all Cases, as well Ecclesiastical,* Pag. 601.

‘*as Temporal, the Emperor was Judge over All. Whatsoever the Council had determined, without the Emperors*

‘*Consent, it had no force.----Theodo-* Ibid. p. 558.

‘*sius, at the desire of the Bishops, Confirmd the Council of Ephesus.*

So

§. 18. *Municip. Ec-
cles. Pref. and
pag. 7.*

Bishop Bilson.

So high an *Erastian* was this Good Old *Bishop*; and so freely has he Sacrificed all the *Rights* of the *Church* to the Will of the *Prince*. Nor has *Bishop Bilson* come at all behind him: The *Second Part* of whose Book, Entituled, *The true Difference between Christian Subjection, and Unchristian Rebellion.* 4°. Oxford, 1585. is but One continued Discourse in Defence of the *Supremacy*, and of which it shall suffice to point out some *Brief Heads* on this Occasion.

‘1. That the *Emperors* heretofore call’d *Councils*: This he proves; pag. 134, 153, 159, 227, &c.

‘2. That they appointed the *Time*, and *Place* of them; p. 154, 155. ‘Nay, and even the *Persons* that should come to them; p. 207. And ‘have *Voices* in them; p. 208.

‘3. That they directed what should ‘be handled in them; p. 135. ‘Managed their *Debates*; p. 134. And ‘forbad them to call in Question the ‘*Faith*, that had by former *Synods* ‘been Establish’d; p. 155, 208.

‘4. That they judged of their *Proceedings*; p. 135. And that in *Matters of Doctrine*; p. 261. By the ‘Com-

Of the King's Supremacy.

{ Common Rule of All Christians, the Word of God ; p. 264, 266, 276. .82. 0

5. That they Confirm'd the Councils Decrees ; See p. 242. And this not at all adventures ; but chose such of their *Canons* as they approv'd, and pass'd them into *Laws* ; p. 139. .82. 0
Municipal
the Preface
p. 7
applied justice

6. That as to their *Sentences* ; they Received *Appeals* from *Councils* ; p. 135, 151, 152. *Suspended* ; p. 154. And if they thought them too severe, Released the *Rigour* of their *Censures*, and *Determinations* ; p. 136.

These are some of the *Points* which this Learned Man not only allows of, but defends from the *Examples* of the *Jewish Princes*, and *Christian Emperors*. And I will be bold to say, either his *Treatise* is altogether *False* and *Scandalous* ; contrary to the *Rights* of the *Church*, and the *Sense* of the *Antient Fathers* ; or my *Discourse*, after all that has been said against it, must be Confessed to be *True* and *Orthodox*, and agreeable to the *Doctrine* of the *Church of England*. Pag. 192, to 198. — Ibid. p. 200, 249.

But because *Bishops* may be look'd upon as *Suspicious Men*, let us see what those of an *Inferior Order*, have written in this *Case* : And for these

§. 19.

I will take but One of a Kind ; Dean Nowell, for the *Dignitaries* ; and the Venerable Mr. Hooker, for the Rest of the *Lower House*.

Dean Nowell.

As for Mr. Hooker, the latter of these, He was much too Young to have had any part in that *Convocation*, in which our *Articles of Religion* were settled. But Dr. Nowell, was not only one of the most considerable Members of the *Lower House* at that time, by his *Own Dignity* ; but chosen, by the *Clergy*, for their *Prolocutor*, and so had the Chief Management of All that was done in it.

Dean Nowell's *Reproof*
of Mr. Dorman's Book,
Entitled, A Proof, &c.
4°. Lond. 1565. Part
Second.

It was but Three Years after this, that Mr. Dorman, one of our *Fugitive English Papists*, attacking the *Queen's Supremacy*, as by *Law* Establish'd, and then newly approv'd of by the *Convocation* ; this Learned Dean thought himself concern'd to undertake the *Defence* of it. And indeed he has so well discharged his Part in it, that, I believe, it will be very hard for our Modern Transcribers of their *Arguments* and *Authorities*, to alledge any thing, upon this Occasion, that will not be found to have

have been fully answer'd, before-hand, in that Book. His Treatise is expressly Referr'd to, and approved of by *Archbishop Whitgift*, in his Discourse upon this Subject; and so may be look'd upon to deliver the Sense of that Great *Archbishop*, as well as the *Dean's*. Nor can it be reasonably doubted by Any, but that it does deliver the Sense of the Whole *Convocation*, and *Clergy* of the *Church of England*, in this particular.

Against T. C.
before: §. 15.

Let us see then, how he States the Point, between Us, and his *Adversary*, as to this matter; and, by what kind of Proofs he undertakes to Vindicate the One, against the Other.

The matter in debate, he thus accurately determines; *Fol. 23.* 'We expressly divide the *Offices of Christian* and *Godly Princes*, from the *Offices of Bishops*, and Other *Ministers* of the *Church* under Them, as *distinct*, and *divers Offices*. And we do teach, that the *Offices of Preaching* of God's *Word*; of the *Pronouncing* of *Publick Prayer* in the *Church of Christ*; the *Power* of the *Keys*, or of *Binding* and *Loosing*, and of *Ministring* the

R

'Holy

‘ *Holy Sacraments*, are, by the Word of
 ‘ God, appointed to be the *Peculiar Of-*
 ‘ *fices* of *Bishops*, and of other *Eccle-*
 ‘ *siastical Ministers*.— And we Teach,
 ‘ and Preach, even in Presence of
 ‘ *Princes*; that neither *Princes*, nor
 ‘ Any Other Persons, saving only *Bi-*
 ‘ *shops*, and other *Ecclesiastical Mini-*
 ‘ *sters* under them, may intermeddle
 ‘ with the said *Offices*, and *Ministries*
 ‘ *Ecclesiastical*, so peculiarly, and only
 ‘ appertaining to the said *Bishops*, and
 ‘ Other *Ministers* of the Church.—
 P. 24. ‘ When we do speak of *Causes*
 ‘ *Ecclesiastical*, wherein *Christian Prin-*
 ‘ *ces* are the *Chief Governors*; we mean
 ‘ not that *Princes* should Execute these
 ‘ *Peculiar Offices* of *Priests*, as is also
 ‘ in the *Queen’s Majesty’s Injunctions*.—
 ‘ notified to all the *Subjects* of the
 ‘ *Realm*, that will be disposed to under-
 ‘ stand the Truth, without Cavilla-
 ‘ tion.

‘ But now touching the *Authority*
 ‘ of *Princes*, to Oversee that the *Bi-*
 ‘ *shops*, and *Clergy*, do these their *Of-*
 ‘ *fices*—diligently, and truly, accord-
 ‘ ing to the *Rule of God’s Word*; to
 ‘ Command them to do their Duty;
 ‘ to Admonish them, being therein
 ‘ slack;

lack; to Reprehend them Offending; Depose, or Deprive them, being Incorrigible; — This we say is the Office of a Chief Governor over the the said Persons Ecclesiastical, which doth appertain to Christian Princes, every One in their own Dominions.

Further; besides the Office of Comp. pag 51, 68, 257, 263. Preaching, and Ministering the Sacraments — there are many other Orders, Masters, and Causes Ecclesiastical, touching Ceremonies, and the outward Regiment of the Church, (which may be term'd the Ecclesiastical Policy) — Page 25. There is also the Authority to Receive Appellations, and finally to Determine Controversies arising amongst Persons Ecclesiastical: To Summon and Call Bishops, and other Ecclesiastical Persons, as Men exercised in the Study of the Scriptures, to Synods, Convocations, and Councils in Necessary Cases; — To Order, Govern, and Protect, the said Bishops, and Clergy, being so call'd together; and to Approve, and Authorize things for the Outward Order Ecclesiastical, and Policy, determined in such Synods. These be those Causes Ecclesiastical that we do speak of, which

'do not pertain to *Bishops and Priests*
 'only. In these Cases, and Causes, Ec-
 'clesiastical, the *Authority of a Christian*
 'Prince is not only not excluded from
 'intermeddling, with the *Bishops and*
 'Clergy, but the *Prince's Authority* is
 'Chief therein: Which *Authority* the
 'Christian Prince exercising, doth not
 'Intermeddle with any *Office*, belong-
 'ing to *Bishops and Priests only* (as
 'the *Adversaries of the Truth* do fal-
 'ly bear Men in hand) but with
 'their *Own Offices*, by the *Examples*,
 'and *Practice*, of all *Antient Godly*
 'Princes, as well in the *Old Law*, as
 'in *Christian Religion*, proved of *Right*
 'to them to Appertain— And to *Our*
 'Prince also, by the *Antient Laws* and
 'Statutes of the *Realm*, (as to the
 'Learned in the said *Laws* is not Un-
 'known) of *Right* appertaining.

This is the Account which he gives
 of the *Doctrin of the Church of England*,
 concerning the *Authority of Christian*
Princes in Matters of Religion. The
 Proofs he alledges are full, and con-
 clusive: From the *Examples of Con-*
stantine, p. 208, to 223. *Theodosius*,
 p. 227, to 238. The *Council of Chal-*
sedons, p. 239, to 246. The *Third*
 Council

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Council of *Constantinople*, p. 250, to 253. *Justinian* the Emperor, p. 276, &c. To Omit many other Particulars, in the Vindication of which I am not so immediately concern'd. And I will be bold to say, there is nothing by me advanced in this *Argument*, which has not been both more highly carried, and more particularly explain'd, in behalf of the *Prince*, by this Great *Champion* of our *Church*, in his accurate, and solid *Treatise* upon the same Subject.

Such was the Opinion of Dean *Nowell*; nor does Mr. *Hooker* come at all behind him. 'The *Antient Imperial Law*, says he, *forbiddeth such Assemblies as the Emperor's Authority did* §. 20,
Mr. Hooker.
'not cause to be made. Before Emperors Ecclef. Polit.
P. 457.
'became Christians, the Church had never
'any General Synod; their greatest
'Meetings consisting of Bishops, and Others the gravest in Each Province.
'As for the Civil Governor's Authority,
'it suffered them only as things not Regarded, or not accounted of, at such times
'as it did suffer them. So that what
'Right a Christian King hath, as
'touching Assemblies of that kind, we

are not Able to judge till we come to later Times, when Religion had won the Hearts of the Higher Powers. Constantine was not only the First that ever did Call any General Council together, but even the first that devised the Calling of them, for Consultation about the Business of God. After He had Once given the Example, his Successors, a long time, follow'd the same.

Page 459.

Touching that Supremacy of Power, which our Kings have in the Case of making Laws, it resteth principally in the Strength of a Negative Voice, which not to give them, were to deny them that Without which they were Kings only by a meere Title, and not in Exercise of Dominion.

If it be demanded by what Right, from Constantine downwards, the Christian Emperors did so far intermeddle in the Church's Affairs, either we must herein condemn them, as being over-presumptuously bold; or else Judge that by a Law which is termed Regia, that is to say, Royal, the People having derived unto their Emperors their whole Power for making Laws, what matter soever they did concern; As Imperial Dignity endow'd them with

com-

‘ competent Authority and Power, to
 ‘ make Laws for Religion; so they
 ‘ were thought by Christianity to Use their
 ‘ Power, being Christians, unto the Be-
 ‘ nefit of the Church of Christ. Was
 ‘ there any Christian Bishop in the World
 ‘ which did then judge this Repugnant
 ‘ unto that Dutiful Subjection which
 ‘ Christians owe to the Pastors of their
 ‘ Souls?

‘ Wherefore of them which in this Page 468.
 ‘ Point attribute most to the Clergy, I
 ‘ would demand, What Evidence there is
 ‘ whereby it may clearly be shew’d, that in
 ‘ Antient Kingdoms Christian, any
 ‘ Canon, devised by the Clergy alone in
 ‘ their Synods, whether Provincial, Na-
 ‘ tional, or General, hath, by meer force
 ‘ of their Agreement, taken place as a
 ‘ Law; making all Men constrainable to
 ‘ be Obedient thereunto, without any O-
 ‘ ther Approbation from the King, before,
 ‘ or afterwards, Required in that behalf.

And this shall suffice for the Reign
 of this Great, and Wise Queen. I shall
 make no Apology for taking these last
 Quotations out of that part of Mr.
 Hooker’s Works, which are not of E-
 qual Authority with the Books pub-
 lish’d by himself in his Life time:

There being so much of Mr. Hooker's *Stile*, and *Reason* in them, as makes me undoubtedly conclude, that, as they are, they proceeded from Him. And those who are supposed to have interpolated these Books, were never charged with turning things to the Advantage of *Sovereign Authority*. So that if any *Changes*, or *Omissions*, should have happened in this Place, it must have been to the *Disadvantage*, not to the *Interest*, of the Cause before Us. But I shall be content to take his *Opinion* as it still is left to Us; and is sufficiently contrary to that wild Notion of *Church Power*, which is now again set on foot, tho' by another sort of Men, in *Pretence at least*, among us.

KING JAMES I.

§. 21.

We have before seen how the *Oath* of *Supremacy*, fram'd in the beginning of the Reign of Queen *Elizabeth*, set the *Pens* of those of that Age, on Work, in discussing the *Authority* of the *Christian Prince*, in *Causés*, and over *Persons Ecclesiastical*. It was not very long after the coming of King *James* into *England*, before another *Oath*, again
 Revived

Of the Kings Supremacy.

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Revived the same *Controversy*; and set the most *Learned Men* of the *Church of Rome*, upon a fresh *Opposition* of the *Royal Authority*.

Among those who, on our side, appeared in Defence of it, as no one began sooner, so is there none that ought to be rather taken notice of by Us, than the *King* himself; who with Good Learning, as well as with a Stile becoming a Prince, solemnly asserted his own *Royal Rights*, and *Jurisdiction*.


King James.


And, first, In his *Apology* for the *Oath of Allegiance*, we have his *Opinion* plainly deliver'd, in several Points relating to our present Disquisition.

Answerably to the Fathers, spake the
Councils in their Decrees: As the
Council of Arles, submitting the whole
Council to the Emperour in these
Words: These things we have De-
creed to be presented to our Lord
the Emperour; beseeching his Cle-
mency, that if we have done less
than we ought, it may be supplied
by his Wisdom; if any thing other-
wise than Reason requireth, it may be
Corrected by his Judgment; if any
thing be found Fault with by Us,
with

The King's
Works, p. 255.

An Appeal, &c. in behalf

‘with Reason, it may be Perfected,
‘by his Aid, with Gods favourable
‘Assistance.

‘But why should I speak of Charles
‘the Great, to whom not One Council,
‘but Six several Councils, Frankford,
‘Arles, Tours, Chalons, Mentz and
‘Rhemes, did wholly Submit themselves:
‘And not rather speak of all the Gene-
‘ral Councils, that of Nice, Constan-
‘tinople, Ephesus, Calcedon, and the
‘four others commonly so Reputed, which
‘did submit themselves to the Emperours
‘Wisdom and Piety in all things? In-
‘somuch as that of Ephesus repeated it
‘four several times, That they were
‘Summon’d by the Emperour’s Oracle,
‘beck, charge, and command; and be-
‘took themselves to his Godliness, be-
‘seeching him that the Decrees made
‘against Nestorius, and his Follow-
‘ers, might, by his Power, have their
‘full Force and Validitie.

Ib. p. 427.

And in his Defence of the Right of
Kings, He thus confirms the same
Principles. ‘It is willingly granted that
‘Emperours never challenged, never
‘arrogated, to be Sovereign Judges in
‘Controversies of Doctrine and Faith.
‘Nevertheless it is clearer than the Sun
‘light

lights at high Noon, that for Moderation at Synods, for Determinations and Orders establish'd in Councils; and for the Discipline of the Church, they have made a good, and full Use of their Imperial Authority. The first Council held at Constantinople, bears this Title, or Inscription; The Dedication of the Holy Synod to the most Religious Emperour Theodosius the Great, to whose Will and Pleasure, they have Submitted these Canons, by them address'd, and establish'd in Council: And there also they beseech the Emperour to Confirm and Approve, the said Canons. The like hath been done by the Council of Trullo, by whom the Canons of the fifth and sixth Councils, were put forth and Publish'd. This was not done because Emperours took upon them to be Infallible Judges of Doctrine, but only that Emperours might see and judge whether Bishops (who feel the Prick of Ambition, as other Men do) did propose nothing in their Conventions and Consultations, but most of all in their Determinations, to undermine the Emperours Authority, to disturb the Tranquillity of the Commonwealth.

T. 110. 110. T.

T. 110. 110. T.

T. 110. 110. T.

T. 110. 110. T.

T. 110. 110. T.

¶ 22.

Bp. Andrews.

T. 110. 110. T.

'mon-wealth; and to cross the Deter-
 'minations of Precedent Councils. Nam
 'to take the Cognizance of such Matters
 'out of the Kings Hand, or Power,
 'what is it but even to Transform the
 'King into a Standing Image:---yea,
 'to bring him down to this Basest Con-
 'dition, to become only an Executioner,
 'and (which I scorn to Speak) the un-
 'happy Hangman of the Clergies Will?

The King having thus asserted
 the *Authority of Christian Princes*, in
 this particular; was soon Assaulted
 by those of the other Party. Car-
 dinal Bellarmine, at that time ac-
 counted one of the most Learned
 Controvertists of the *Church of Rome*,
 first, under the Name of *Tortus*, fell
 with great Bitterness upon him. To
 him his Majesty scoring to reply, Bi-
 shop *Andrews*, took the Cause upon
 himself; and with Great *Spirit*, and
Judgment, replied to him. So that
 here then, in these two, we may
 expect to see what is to be said, on ei-
 ther side, upon this Subject. As for
 the Cardinals Opinion, I am not con-
 cern'd to take any Notice of it: But
 that which the *Bishop* asserts, and
 with great Force of Reason, and E-
 vidence,

Of the Kings Supremacy.

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vidence of *Antiquity*, defends, is to this Effect: *'That Kings have Power both to call Synods, and to Confirm them; and to do all Other things which the Emperours heretofore diligently did do; and which the Bishops of those Times willingly acknowledged of Right to belong to them.'* Tort. Torti. p. 177. Comp. Municip. Eccles. p. 14. 15.

And 1st. That to *Christian Princes* See also. p. 174. belongs the *Sole Right of calling Synods*, he proves from the *History* of the *General Councils* that were assembled under them, p. 165. And from the *Examples* of those which were afterwards held under *Charles the Emperour*; p. 164.

2^{dly}. That having *Assembled* them they have a *Right of Inspecting and Examining*; of *Approving or Rejecting their Acts*; He likewise shews p. 162, 164. *'You know, says the Bishop, how Constantine wrote to the Synod of Tyre: All you, as many as made up the Synod of Tyre, hasten without delay to come to Us, and shew us truly how sincerely and rightly ye have Judged: p. 173.'*

He adds, 3^{dly}. That they may come to, and make a *part of the Synod*: This he proves, p. 174. And then,

then, p. 176. thus Sums up the Royal Authority: 'Put this, says he, together: The King assembles the Synod; the Synod presumes to do nothing without his Knowledge. The King commits the whole Affair to their Power: They, by virtue of his Princely Command, proceed to do what was needful to be done.

I might easily Confirm this same Opinion both of the King and Bishop, with the Concurrent Authority of Burhil, Tooker, and some Others, who, were afterwards, engaged in the same Controversy. But I must not enlarge upon this Subject, having so much more yet to observe both of this King, and this Bishop, upon another Occasion, as to the Points under Debate.

§. 23.
See Spotswood, lib. vii.
p. 486.

The King being Dissatisfied with the Proceedings of the Presbyterian Ministers in Scotland, for holding a Generally Assembly at Aberdeen, contrary to his Command; sent for a certain Number of the most Eminent of them to come up to him, to London, and satisfy him in some Things, in which he thought he had just reason of Complaint against them.

To

To these *Ministers*, after other things Transacted with them; he deliver'd three *Quæres* relating to his *Authority* in *Ecclesiastical Matters*, and demanded their several Answers to them. The Second of these Questions, and from which we may sufficiently conclude what Opinion his Majesty had of his own *Royal Supremacy*, was this: '∴ Whether they acknowledge his Majesty, by the Authority of his Prerogative Royal, as a Christian King, to have lawful and full Power, to Convocate, Prorogate, and cause desert, upon just and necessary Causes known to him, the Assemblies of the Kirk, within his Majesty's Dominions? How they trifled with his Majesty in their Answer to these Questions, as well as in all the other Affairs about which they had been sent for, is neither material to my Purpose to shew, and may at large be seen in the *Histories* here Referr'd to by me. That which I have further to observe is, that during the Course of this *Transaction*, the King caused four of his *English Bishops*, on certain Days appointed to them, to *Preach* before him at

Hamp-

Calderwood

Hist. p. 543.

∴ Let the Author of the Mu-

nicip. Ecclef.

Answer this Question bet-

ter, if he can.

Hampton-Court, and Commanded the Scotch Ministers to be present at their Sermons.

§. 24. The third of these turns fell upon our learned *Andrews*, at that time *Bishop of Chichester*; whose Subject, assign'd him by the *King*, was, to prove the *Power of Princes*, in *Convocating Synods and Councils*. In order whereunto he first laid down these two Points: '1. *That when the Prince calls, the Clergy are to meet*: 'And 2. *That they are not to meet, of Themselves, unless he call them*.

Sermons. pag.
105.

The Proof of these Points he thus pursues: 1st. From the Law of God, p. 104. 105. confirm'd by the Law of Nature, and Nations, p. 106. And 2^{dly}. From Matter of Fact: Before *Christ*; From *Moses*, to the *Macchabees*, in the *Jewish Church*. p. 106, 107. After *Christ*; From *Constantine*, till a *Thousand Years after Christ*; (1) By *General Councils*; (2) By *National, and Provincial Councils*, assembled. (3) Under *Emperours*, and (4) *Kings*, by the space of many *Hundred Years*, p. 108.

This is the Substance of his *Sermon*; and from which I shall proceed

ceed to extract some part of what he says, in the Prosecution of most of the Heads, before laid down.

1st. In Speaking of the Law of Nations he has this Remark: *'The Law of Nations in this Point might easily appear, if time would suffer, both in their General Order for Convocations so to be called, and in their General Opposing all Conventicles called Otherwise. Verily the Heathen Laws made all such Assemblies Unlawful, which the highest Authority did not cause to meet; yea, tho' they were—Sub prætectu Religionis, say the Roman Laws. Neither did the Christian Emperours think fit to abate any thing of that Right; nay they took more straight Order.'* Pag. 106.
Comp. Municip. Eccles. p. 100. 101.

2dly. Concluding his Account of the Jewish State, he has these Words: *'This from Moses to the Maccabees, we see in whose Hands this Power was. And what should I say more? There was in all God's People no One Religious King, but this Power be Practised: And there was of all God's Prophets no One, that ever interposed any Prohibition against it.'* Pag. 107.
Comp. Municip. Eccles. p. 131, 132, &c.

'What shall we say then? Were all these wrong? Shall we condemn them all?—Yet to this we are come now, that either we must

An Appeal, &c. in behalf

‘condemn them All, the One after Another;
 ‘the Kings as Usurpers for taking on them
 ‘to use more Power than ever orderly they
 ‘Received; the Prophets for soothers of
 ‘them in that their unjust Claim; Or else
 ‘confess that they did no more than they
 ‘might, and exceeded not therein the
 ‘Bounds of their Calling. And indeed that
 ‘we must Confess, for that is the Truth.

Pag. 108.

Comp. Muni-

cip. Eccles. p.

126, 135, &c.

3dly. ‘In treating of General Coun-
 ‘cils, he thus Speaks of that of Nice. At Nice
 ‘there were together 318 Bishops, the Lights
 ‘of the whole World, the chiefest and choicest
 ‘Men for Holiness, Learning, Vertue,
 ‘and Valour, that the Christian Religion
 ‘ever had, before or since.—Did any of them
 ‘refuse to come being called by Him, (Con-
 ‘stantine) as not called aright? Or com-
 ‘ing, was there any One of them that did
 ‘Protest against it; or pleaded the Churches
 ‘Interest to meet of Themselves?—Veri-
 ‘ly the Council of Nice, (which is, and e-
 ‘ver hath been so much admired by All
 ‘Christians) cannot be excused before God
 ‘or Men, if they thus conspired (All) to
 ‘betray the Churches Right; and suffered
 ‘it, contrary to all Equity, to be carried a-
 ‘way; leaving a dangerous Precedent there-
 ‘in, for all Councils, ever after, to the Worlds
 ‘End.—There is no Man of Reason but
 ‘will

Pag. 109.

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'will think it reasonable, if this were the
'Churches own peculiar, if Appropri-
'ate unto it, (and so known to them to be)
'there ought to have been plain dealing now,
'at the very first Council of All, that if
'Constantine would embrace Religion, he
'must forbear to meddle with their Assem-
'blies.

ably. 'But it may be General Coun-
'cils have a Fashion by Themselves: Those
'Congregations may be called thus; but Na-
'tional or Provincial, such as Ours, How?
'Even so too, and no otherwise ---- Yea, I
'add this, which is a Point to be consider'd,
'that even then when the Emperours were
'profess'd Arians, even then did the Bi-
'shops acknowledge their Power to call
'Councils; Come to them being called,
'Sued to them that they might be called;
'---And sometimes They sped---and some-
'times not. And yet when they sped not
'they held themselves Quiet, and never
'presumed to Draw together, of their
'Own Heads.

'But it may be this was some Imperi-
'al Power, and that the Emperours had,
'in this Point, more Jurisdiction than
'Kings? Not that neither: For about 500
'Years after Christ, when the Empire fell
'in Pieces, and these Western Parts came

Pag. 110.
Comp. Muni-
cip. Eccles. p. 6.

Ib. p. 159.

Ib. p. 110.

'into the Hands of Kings, those Kings had,
'held, and enjoy'd, and practis'd the same
'Power.

Ib p. 111.
Comp. Muni-
cip Eccles. p.
168.

'If it be excepted that there are of these
'(Provincial and National) Councils,
'which carry in their Acts no mention
'how they were called; For them we are to
'understand, that after the Decrees of the
'first Nicene Council were by Constan-
'tine's Edict confirm'd, wherein, as like-
'wise in the Council of Chalcedon, it was
'order'd, that each Province should Yearly
'hold their Synods twice---We are to con-
'ceive the Emperour's Authority was in All
'afterwards; habitually at least.---

Comp. Muni-
cip. Eccles.
Chapt. vi. & vii.

5thly. 'But what say you to the 300 Years,
'before Constantine? How went Assem-
'blies then?---Truly even as the Jews did
'before in Egypt. They were then a
'Church under Persecution, till Moses
'was raised up by God, a lawful Magistrate
'over them.---No Magistrate did Assem-
'ble them in Egypt: And, good Reason,
'They had none then to do it.

Ib. p. 112.

'True it is therefore, that before Con-
'stantine's Time they met together as they
'durst; and took such Order as they could.
'---But when Constantine came in Moses
'Place, it was lawful for him to do as Mo-
'ses did. And so he did: And they never
'said

'said to him--Look how we have done hitherto, we will do so even still; Meet no otherwise now, than in former Times we have, by Our Own Agreement;—No, but they went to him, as to Moses, for their Meetings; At his Hands they sought them; Without his Leave, or Liking, they would not Attempt them: Tea (I dare say) they blessed God from their Hearts that they had lived to see the Day, that they might now Assemble by the Sound of the Trumpet.

'To conclude this Point then; These two Times, or Estates of the Church, are not to be Confounded: There is a plain difference between them, and a diverse Respect to be had of Each. If the Succession of Magistrates be interrupted, in such Case, of Necessity, the Church, of her self, maketh supply, because then God's Order Ceaseth. But God granting a Constantine to them again, God's former, Positive Order, returneth, and the Case is to proceed, and go on, as before.—In a

Ib. p. 113.

Word, None can seek to have the Congregation so called (as before Constantine) but they must secretly, and by Implication, confess, they are a persecuted Church, as that then was; without a

See Municip.
Ecclef. p. 115.

Moses, without a Constantine.

Ib. p. 113.

6thly. Hitherto we have seen the Opinion of this Learned Prelate in the Case before us; let us now see what Application he made of what he had offer'd on this Subject. 'You may please to Remember, says he, there was not long since a Clergy in place that was wholly ad Oppositum, and would never have yeild- ed to Reform ought. Nothing they would do; and (in Eye of the Law) without them Nothing could be done. They had en- croached the Power of Assembling into their Own Hands. How then? How shall we do for an Assembly? Then —the Prince had this Power, and to him, of Right, it belonged. This was then Good Divinity: And what Writer is there extant, of those Times, but it may be turn'd to in him? And was it Good Divinity then, and is it now no longer so? Was the King but Licensed, for a while to hold this Power till another Clergy were in, and must he then be deprived of it again? Was it then Usurped from Princes; and are, now, Princes Usurpers of it Themselves?—Nay I trust we will be better Advised, and not thus go against our selves, and let Truth be no longer Truth, then it will serve our turns,

I shall conclude all I have to draw out of this *Discourse*, with the same Words, that the Learned Preacher concludes his Sermon; *'It remaineth that as God, by his Law, hath taken this Order, and his People, in former Ages, have kept this Order, that we do so too: That we say, as God saith,---This Power pertaineth unto Moses: And that neither with Core we say We will not come; Nor with Demetrius run together of ourselves, and think to carry it away with crying Great is Diana. But as we see the Power is of God, so truly to acknowledge it, and dutifully to yeild to it: That so they, whose it is, may quietly hold it, and laudably use it, to his Glory that gave it, and to their Good, for whom it was given.*

It will not, I hope, be thought much of, that I have so long insisted upon the Judgment of this Great Prelate, in the present Case. No Man there was in that Time, or perhaps in any Other Age of the Church, that was either fitter to deliver the Sense of our Clergy, or better qualified to maintain it. I might add that this Discourse, being Preached first, and then Publish'd, by the express Command of the King, carries with it somewhat more than a Private Authority

§ 25.

Anno 1603.

And when it shall be consider'd how little a while it was, before this, that that *Convocation* met, which took such care both to explain its *Sense* of the *Royal Supremacy*, and to give the utmost *Canonical Enforcement*, that could be given to it; we may well conclude this to have been the *Universal Judgment* of our *Church Divines* in that *Reign*; as we are sure it was of those, of the *Reign* foregoing.

I have already alledged the *Authorities* of those two Eminent Archbishops, *Whitgift*, and *Bancroft*: To these I have added those of *Bilson*, and *Hooker*; and I thought it but Reasonable to give them a place in the same Period in which their *Books* were publish'd. But yet I must observe, that the most of These, not only continued to the present time; but attain'd to their *highest Promotions* under *this Government*: The *Synod* of 1603, was held under the *Presidence* of *Bancroft*, then *Bishop of London*: *Bishop Bilson*, was a *Member* of it; and, no doubt, concurr'd heartily to the passing of those *Canons*, which relate to the *King's Supremacy* in it. I shall therefore, here, add only the Judgment of One Learned Man more (who must never be mentioned but with a particular Respect by Us;)

Us;) Mr. Mason; and that out of a Work which he wrote expressly in *Vindication of the Reformed Church, and Ministry of England.*

Champanneus, his Adversary, had thus far allow'd of the *Authority of the Christian Prince in Matters of Religion*; 'That He might make Laws in Defence of the true Religion (which he was to learn from the Clergy) and might, nay was bound, to see them Put in Execution. But that Princes should have a Power of Judging, or Defining, in Ecclesiastical Matters, as the Proper Judges, and Hearers of them, this, he says, is a Paradox never heard of in the Christian World, before the time of Henry VIII.

§. 26.

Mr. Mason.
De Ministerio
Anglic. lib. 3.
c. 3. pag. 271.

To this Mr. Mason Replies, 'That it is indeed the Business of Pastors to Explain the Doubtful things of the Law: But that it belongs to the Prince to Promulge the Truth, when known, and to command his Subjects to Obey it.— That he must judge Whether the Priests do Go according to the Law of God.— And to that End, must Search the Scriptures; Pray to God; Advise with Learned Men; and not be led away with the fair Titles, or Characters of Any, nor have so much Regard to the Number of Votes, as to Truth.

Ibid. p. 273.

Upon

Upon this Foundation he proceeds, at large, to assert these following Points.

- Pag. 291, 292, ' 1. *That it is the Prince's business to Call*
 —294, 298. ' *Councils, and to appoint the Time, and*
 Comp. Munic. ' *Place of their Assembling—* 2. *That*
 Ecclef. pag. ' *he has the Power to propose to the Bishops*
 108, 109. ' *and Clergy, what shall be treated on in*
 ' *their Synod.* 3. *To prescribe the Rule,*
 ' *and Measure of Judging.* 4. *To Re-*
 ' *strain them from calling in question the*
 ' *Faith already Orthodoxly settled, in for-*
 Ibid. 292, 300. ' *mer Synods.* 5. *To Rescind the Perni-*
 ' *cious Decrees of Councils, and to Con-*
 ' *firm and Ratify, such as are Pious, and*
 ' *Wholesom, by his Authority.* [Lib.iii.
 c. iv. p. 298.]

- To which Points, thus put together by Himself, let me add from the other parts of his Discourse; 6. *'The Power to Pre-*
 Ib. p. 292, 298. ' *sider in Synods, and to Govern their*
 —295. ' *Acts.* 7. *To Appoint Judges in Eccle-*
 —297. ' *siastical Matters, and over Ecclesiastical*
 —289. ' *Persons.* 8. *To Judge between the Bi-*
 ' *shops, if they shall happen to differ, even*
 ' *in Matters of Faith.* And, lastly, *To su-*
 ' *spend the Acts of Councils, tho' in rela-*
 ' *tion to Points of Doctrine, so that during*
 ' *such Suspension, they shall not take Effect.*

This is that *Authority* which this Re-
 nowned Defender of our Ministry and Re-
 forma-

formation, look'd upon as due, of Right, to the *Christian Prince*. Of what Esteem this Work in those days was, may be Gather'd not only from the Great Care, and Accuracy with which it was Composed; but from that Concern which the *Archbishop of Canterbury* shew'd for the Publication of it. Twice it was solemnly dedicated to King *James*: And being first publish'd in our *Own Language*, it was thought considerable enough to Carry both the *Doctrine*, and *Defence*, of our *Church* to those Abroad, in a *Latin Translation*. And I have never yet heard that any of its Adversaries could charge it with any *false Representation* of our *Church's Sense*, how little soever they pretended to be satisfied with His *Vindication* of it.

KING CHARLES I.

But I shall not tarry any longer in this *Reign*; but proceed to pursue the History of the *Supremacy*, in the Sense of our most Eminent *Bishops*, and *Divines*, during the Unfortunate *Reign* of that *Excellent Prince*, and true Friend of our *Church*, King *Charles the First*.

§. 27.

And here, one would have thought, that

Municip. Ec-
cles. p. 117.

that the Account I took care, on purpose, to give, with a more than ordinary particularity, of the *Convocation* of 1640, might have sufficiently convinced all Unprejudic'd Persons, what the *Judgment* of those *Times* was, in the *present Case*. But since it is insinuated by some, who cannot deny but that that *Prince* did, in *Fact*, both *Claim*, and *Exercise*, all that *Power* over the *Convocation*, for which I am pleading; as if All this were done merely in compliance with the Iniquity of our Laws, and not as what Either the *King*, or his *Archbishop*, in their *Own Consciences*, approved of; I will proceed to clear this matter, a little farther; and shew, that we have all the Reason in the World to believe, that in the Management of that *Convocation*, they, *Both* of them, acted not more agreeably to the *Laws* of the *Realm*, than to the *Real Sense* of their *Own Judgment*.

§. 28.

King
Charles I.

It was but about Twelve Years before the *Meeting* of that *Synod*, that upon the breaking out of some Disturbances, upon the Account of the *Arminian* Tenets, the *King* was induced to publish anew the *Articles of Religion*, and to prefix his *Royal Declaration* to them, suitable to that Occasion.

The

Of the Kings Supremacy.

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The Words of this Declaration are these: Book of Articles, Printed Anno 1628.

Being, by God's Ordinance, according
to our just Title, Defender of the Faith,
and Supreme Governor of the Church
within these our Dominions; We hold it
most agreeable to this our Kingly Office,
and our Own Religious Zeal, to Conserve,
and Maintain the Church, committed to
our Charge, in Unity of true Religion,
and in the Bond of Peace; and not to suffer
unnecessary Disputations, Altercations,
or Questions, to be Raised, which
may nourish Faction both in the Church
and Commonweal. We have therefore,
upon Mature Deliberation, and with the
Advice of so many of our Bishops, as might
conveniently be called together, thought fit
to make this Declaration following: That
the Articles of the Church of England
(which have been allow'd, and authoris'd
heretofore, and which our Clergy, generally,
have subscribed unto) do contain
the true Doctrine of the Church of England,
agreeable to God's Word: Which
we do, therefore, Ratify, and Confirm,
Requiring all our Loving Subjects to continue
in the Uniform Profession thereof,
and prohibiting the least difference from the
said Articles; which, to that End, we
command to be New-printed, and this Our
Decla-

An Appeal, &c. in behalf

' Declaration to be publish'd therewith.

Such is the beginning of this *Declaration*; and in which we may already observe, several notable Instances of that *Supremacy* we are enquiring into. For, *1st*. It is plain this *King* thought himself Authoriz'd, as *Supreme Governour* of the *Church* within his *Dominions*, to take care of the *Unity* of it; and to put an End to those *Disputes*, which Some had raised, to the manifest endangering of it. *2^{dly}*. Upon his *Own mature Deliberation*, and with the *Advice* of such of his *Bishops* as he thought fit to call to his *Assistance*; he judges anew of the *Doctrine* of the *Church*, contain'd in the *XXXIX Articles*, and confirm'd by so many *Synods* of the *Clergy*, as had met, since the first Establishment of them. And, *3^{dly}*, Upon that *Judgment*, he again *Ratifies* and *Confirms* them; and *Requires* all his *Subjects* to continue in the *Uniform Profession* of them.

But we will go on with the *Declaration*, which the *King* farther makes:
' That We are Supreme Governour of the
' Church of England; and that if any
' difference arise about the External Policy,
' concerning the Injunctions, Canons, or
' Other Constitutions, whatsoever, thereto
belong-

' *belonging; the Clergy, in their Convocation, is to Order and Settle them, having first Obtain'd Leave under Our Broad Seal so to do; and We approving their said Ordinances and Constitutions; provided that none be made Contrary to the Laws and Customs of the Land.*

This is the next Paragraph; and it gives us a clear account of the *Ecclesiastical Constitution* of the Synods of this Realm. To them it belongs to *deliberate* of what concerns the *Policy* of the Church; and to make *Canons, &c.* for the *Ordering* of it. But before they can do this, they must have the *King's Leave*, not only to *Sit*; but to *Go about* any such Work, being *Safe*: And having done it, the *King* is to have the *last Review*; He is to *Confirm, or Reject*, what they do; And even that too within the Bounds that the *Laws* have set both to *Him* and *Them*.

Rolls Rep. Hill. 14.
Jac. in Cam. Scacc. Colt
vers. Glover. p. 454, &c.

But we will Go yet farther: In the next place then the *King* thus declares;
' *That out of our Princely Care, that the Church-men may do the Work which is Proper unto them, the Bishops, and Clergy, from time to time, in Convocation, upon their humble Desire, shall have Licence under our Broad Seal, to deliberate*

‘rate of, and to do all such things, as being
 ‘made plain by them, and assented unto by
 ‘Us, shall concern the settled Continu-
 ‘ance of the Doctrine, and Discipline, of
 ‘the Church of England now Establish’d,
 ‘from which we will not endure any Vary-
 ‘ing, or Departing, in the least Degree.

And here we have not only our former Reflections, again confirm’d, but with an Addition of some farther Instances of the *Prince’s Authority* in these Cases. The *Clergy in Convocation*, are humbly to move the *King* for his Licence, to do, what they shall Judge to be necessary, for the better Establishment of either the *Doctrine*, or *Discipline*, of the *Church of England*. To this the *King* is pleas’d to promise them, at all times, a favourable Answer: That they shall have Leave to do, what they desire, and he shall judge needful, to be done by them. But still he declares it shall be with this Restraint, that what they desire to do, be consistent with the *Doctrine* and *Discipline* of the *Church*, already Establish’d: For from that, the *King* Resolved that the *Clergy*, even in *Convocation* assembled, should not be at Liberty to Vary, or Depart in the least degree. All which being supposed, yet still they are only to deli-
 berate,

berate, and make plain to the King, what they think to be of Use, even within these Restrictions. But the King is to Allow, or not Allow of it; and upon his Rejecting, or Ratifying their Resolutions, the whole Authority, and even Subsistence of them is to depend.

Such was the Opinion which this Prince had of his Own Royal Authority over the Convocations of his Bishops and Clergy. Wherein the Power here claim'd by him, comes short of what our Laws have assign'd the King, and I, in my late Treatise on this Argument, have contend-
ed for; it will, I believe, be very difficult to shew. I shall only add, that this Declaration was made by Him, with the Advice of so many of the Bishops, as might conveniently be Called together. Who those Bishops were, with whom the King consulted upon this Occasion, we are not told. But that Archbishop Laud was One of them, we have all the Reason in the World to believe. He was, at that time, a Privy-Counsellor; Dean of the Chappel; and One of the Commissioners for the Administring of the Archbishoprick, upon the Sequestration of Archbishop Abbot; And especially advised with by the King, in all Matters of Importance, relating to the Affairs of the Church. And upon All

§. 29.

H

which

An Appeal, &c. in behalf

which accounts we may venture almost confidently to say, that this *Declaration* was, without Controversy, *publish'd* by his *Advice*, above any Others; and speaks *his Sense*, in these Matters, no less than the *King's*.

*Archbishop
Laud.*

It is indeed a thing justly to be wonder'd at, after what I have formerly publish'd, that any One who pretends to have any Veneration for the Memory of that Great *Prelate*, should be able to make any doubt of his *Judgment* in this particular. The Integrity which he shew'd in all his Actions, sufficiently assures us, that what he *Swore* to, in the *Oath* of *Supremacy*; *Subscribed* in the *Articles* of *Religion*; *Approved* of in the *Canons* of the *Church*; *Advised* in this last *Declaration*; and *Acted* under at the *Head* of the *Convocation*, *Anno 1640*, was undoubtedly agreeable to the *Inward Sense* of his *Own Mind*. And I would desire those who, upon such slender Grounds, now insinuate the Contrary, to consider, What a mean *Spirit* they must take a Person of his High *Character* to have been acted by; who can suppose, that in a Matter of such vast Concernment to the *Church*, and upon which the *Divine Rights*, and *Authority* of it, in their Opinion, so much depend; He should nevertheless, against his

Municip. Ec.
cles. pag. 117.

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his Own Conscience, run in with the Iniquity of the Times, and thereby give so dangerous a Countenance, to those *Enslaving Principles*, to which he submitted.

However, since such is the Rashness of some Men, that they care not what Injury they do the Greatest Personages, so they may but seem thereby to justify their Own Errors; I will now give such an Evidence, not only of that *Archbishop's*, but with his of all the Other *Bishops*, and the whole *Convocations* Sense, in this Case, as will, I think, admit of no Exception.

In the *Canons* of 1640; (and whose Authority, tho' I pretend not to assert, yet I conceive I may, without Offence, produce them as a *private Evidence* of the Judgment of Those who Compos'd Them;) the very first is 'Concerning the *Regal Power*. In this they not only Approve of the *Acts* made for the Acknowledgment of the King's Authority over the State Ecclesiastical; but enjoin them All to be carefully Observed, by all Persons whom they may Concern.

§. 30.

Sparrow's Col-
lect. p. 345.

They add: 'That a Supreme Power is given, by God himself, to Kings, to Rule and Command all Persons, of what Rank soever, whether Ecclesiastical, or Civil.

H 2

'The

'The Care of God's Church, say they,
'is so committed to Kings in Scripture, that
'they are Commended when the Church keeps
'the Right way, and Taxed when it runs
'Amis: And therefore Her Government
'belongs, in Chief, unto Kings. For other-
'wise, One Man would be Commended for
'Anothers Care, and Taxed for Anothers
'Negligence, which is not God's way.

'The Power to Call, and Dissolve,
'Councils, both National, and Provin-
'cial, is the true Right of * All

* Therefore not of ours
only; nor by the Stat. of
H. 8. Municip. Eccles.

|| Therefore not by a Di-
vine, Unalienable Right
which they had so to do.

'Christian Kings, within their
'Own Realms and Territories.
'And when, in the first Times of
'Christ's Church, Prelates used
'this Power, 'twas therefore only,
'|| because in those days they had no Chri-
'stian Kings.

And again, in the VIIIth Canon, they
'oblige all Preachers positively, and plainly,
'to Preach, and Instruct the People, in their
'Publick Sermons, twice in the Year, at least;
'—That they ought Willingly to Submit
'themselves, unto the Authority, and Go-
'vernment of the Church, as it is now
'Establish'd under the King's Majesty.

It is therefore as plain, as any thing
can well be; that this Convocation un-
doubtedly approved of ALL the *Laws*
(even this of the Submission of the Clergy:)

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made for the Security of the King's Authority over the State Ecclesiastical; that they look'd upon the Government of the Church to belong, in Chief, unto Kings: That they accounted the Power of Calling and Dissolving Synods, to be the true Right of All Christian Princes; and that the Bishops have only then a Power to do this, when the Church is in a State of Persecution, and the Necessities of it enforce them thereunto. And, by Consequence, that they themselves not only met and acted under the Powers, * I have formerly shewn, because they were forced so to do, but Approved of the Use which the King made of them; and were satisfied, that in Meeting, and Acting, according thereunto, they behaved themselves so as became Christian Bishops, and Clergy-Men to do, under the Favour and Authority of a Christian King.

* From the Writs and Commission of King Ch. 1.

I shall observe only this one thing farther, to prevent any new Cavils in this particular; that we are assured by Him, who best knew it, Archbishop Laud himself; that these Canons were pass'd with the greatest Freedom, and Unanimity, that ever any Canons were: So that upon that account also, we may the more undoubtedly look upon them, as delivering the Real Sense of the Church of England in those days.

Hist. of A. B. Laud, p. 82, 81, 154, 155, 282.

H 3 To

§. 31.

 Archbishop
 Bramhall.


See his Works,
 Page 496.

To the Judgment of this *Archbishop*, and the *Convocation* held by him, let me subjoin that of an *Eminent Bishop* in our Neighbour Country, the Learned *Bramhall*, afterwards *Archbishop of Armagh*, and *Primate of All Ireland*. In his *Survey* of the *Scotch Discipline*, among other *Exceptions* which he takes at it, we have these, to our purpose, particularly insisted upon by him: That they Affirm, 1st, That *Ecclesiastical Persons have the sole Power of Convening, and Convocating Synods.* 2dly, That no *Persons, Magistrates, or Others, have Power to Vote in their Synods, but only Ecclesiastical.* 3dly, That *Synods have the Judgment of True and False Religion, of Doctrine, Heresy, &c. That they have Legislative Power, to make Rules and Constitutions, for keeping Good Order in the Kirk,—And all this without any Reclamation, or Appellation, to any Judge, Civil or Ecclesiastical.* 4thly, That they have these *Privileges not from the Magistrate, or People, or Particular Laws of the Country,—but Immediately from God, &c. Lastly, That they have all this Power, not only without the Magistrate, but against him, that is, tho' he Dissents, &c.*

Municip. Ec-
 clef. p. 116.

So different a Notion had this great Writer of these Powers of the *Kirk*, for which

which our Late Author so highly Applauds them; and sets up their Discipline above our Own, slavish Constitution. But the Archbishop proceeds; and against these Usurpations of the Kirk, lays down, Chap. iii. these Orthodox, Church of England Principles.

'That All Princes and States, invested with Sovereign Power, do justly challenge to themselves the Right of Convocating National Synods of their own Subjects; and of Ratifying their Constitutions. — And that he is a Magistrate of Straw, that will suffer the Church to Convene, Whensoever, or Wheresoever, they list: — To Convocate before them Whomsoever they please: — To change the Ecclesiastical Policy of a Common-Wealth; To alter the Doctrine and Religion Establish'd; and all this of their Own Heads, by a pretended Power given them from Heaven.

'Synods ought to be Called by the Supreme Magistrate, if he be a Christian — And either by Himself, or by such as he shall please to chuse for that purpose, he ought to Preside over them. — This Power the Emperors of Old did challenge over General Councils: Christian Monarchs, in the Blindness of Popery, over National Synods: The Kings of England over

Comp. Muni-
cip. Ecclef. p.
123, 124.

P. 497, 498.

Comp. Muni-
cip. Ecclef. p.
123, 124.

their Great Councils of Old, and their
Convocations of latter Times.

But, say they, we give the Magistrate
a Political Power to Convocate Synods;
to Preside in Synods; to Ratify the Acts
of Synods; to Reform the Church—Here
are Good Words, but they signify Nothing.

For, in plain English, what is this Po-
litical Power to call Synods, &c.— It is
a Duty which the Magistrate Owes to the
Kirk, when they think Necessary to
have a Synod Convocated, to strengthen
their Summons by a Civil Sanction;
To secure them in Coming to the Synod, and
Returning from the Synod: —To compel
obstinate Persons, by Civil Laws and Pu-
nishments, to submit to their Censures and
Decrees. What Gets the Magistrate by
All this? — For they declare expressly, that
neither All the Power, nor any Part of the
Power, which Synods have to Deliberate
of, or to define Ecclesiastical things,
doth flow from the Magistrate.

... But can the Magistrate call the Sy-
nod to Account for any thing they do?
Can he Remedy the Errors of a Synod, ei-
ther in Doctrine, or Discipline? No:—

This is one main branch of Popery,
and a Gross Encroachment upon the
Right of the Magistrate.

And accordingly we find him charg-
ing

ing the *Papists* with it, in his Writings against them. He maintains, that *All Ecclesiastical Coercive Jurisdiction, did Originally flow from the Civil Magistrate.* He bids them *Weigh all the Parts of Ecclesiastical Discipline, and consider what One there is which Christian Emperours of Old did not either Exercise by themselves, or by their Delegates; Or did not Regulate by their Laws, or Both.* And then, particularly Instances in the Points of, Calling Councils; Presiding in Councils; Dissolving of Councils, and Confirming Councils.

See his Works
Tom. 1. pag.
88.

And Pag. 93. He insists upon it as One just Ground of our Separation from the Court of *Rome*; that they endeavour'd to Rob the King of the fairest Flowers of his Crown; namely *of his Right to Convocate Synods, and to Confirm Synods within his Own Dominions; of his Legislative, and judiciary Power, in Ecclesiastical Causes, &c.*

Comp p. 233.
Ib.

To the Opinion of this learned *Prelate*, were conformable the Sentiments, of all the Other Bishops, and Clergy of these *Kingdoms*, as to these Matters.

Christian Emperours, says Bishop *Davenant*, heretofore Called Councils.

§ 32.
Bishop Davenant.

---As in Civil Causes, *Princes advise with their Learned in the Law, so in*

Determin. qu.
xix. p. 95.

The-

'Theological Matters, they ought to Con-
 'sult with their Divines.---Yet are they not
 'so tied up to the Opinions of their Clergy,
 'but that if They go contrary to the Law of
 'God, Princes are Obligated by their Duty,
 'as Kings, to set forth the True Religi-
 'on to their Subjects, tho' the Clergy should
 'never so much, or so generally, Oppose
 'them in it.

De donb. con-
 trov. par. i. p.
 73.

And in Another of his Books, he
 proves the last Judgment, in Matters of
 Religion, to belong to Princes, by this
 Argument. 'He to whom the Holy Bi-
 'shops remit their Decrees to be Examined;
 'from whom they desire the Confirm-
 'ation of them; Whom alone they Acknow-
 'ledge to have the Power to prescribe to
 'the People the True Religion, by a Ju-
 'diciary, Coactive Power; Him they
 'constitute Supreme Judge in the Business
 'of Religion. But all this is ascribed to
 'Pious Emperours and Kings; As both
 'from Councils and Fathers, may evident-
 'ly be made Appear.

Ib. p. 76.

'I add, that the Clergy cannot, by Ver-
 'tue of their Function, compel the King to
 'receive for the True Religion, whatsoe-
 'ver they shall resolve, by their Votes, so
 'to be:--- But they must direct him by
 'God's Word, and always leave it to Him
 'to Confirm that by his Authority, which
 'shall

Of the Kings Supremacy.

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'shall to Him, upon Examination of their
'Reasons, appear to be agreeable to God's
'Word.

'Kings Sin when they throw off all Care Ib. p. 93.
'of Religion; and leave it to their Bi-
'shops alone: Confirming by their Au-
'thority, and Defending with their Sword,
'whatsoever Faith, They shall think fit
'to prescribe. It is true indeed, that as
'Other Christians, so Princes themselves
'are to be directed in Matters of Religi-
'on, by the Fathers of the Church: But
'they are to be directed by the Light of
'God's Word; and not to be drawn at
'the Pleasure of Bishops, to the Defence
'of any Error whatsoever.

'The Church of England did not In-
'novate, says Dr. Heylin, in festing the
'Supremacy in the Royal Crown.--The
'like Authority was exercised, and en-
'joy'd by the Christian Emperours, not
'only in their Calling Councils, and many
'times Assisting at them, or Presiding in
'them; by themselves, or their Deputies,
'or Commissioners; but also in Confirming
'the Acts thereof.

The like he shews to have been done
by our Own Kings heretofore; and
then concludes thus; 'so that when the
'Supremacy was recognized by the Cler-
'gy, in their Convocation, to King Hen-

§ 33.
Dr. Heylin.
Historic &
Misc. tracts. fol.
Lond. 1681.
Pag. 24.

Comp. Muni-
cip. Eccles.
Pref. & p. 107,
108, 136, &c.

ry

ry the VIII. it was only the Restoring
of him to his Proper, and Original
Power.

Ib. numb. vi.

'If you conceive that by ascribing to the
'King the Supreme Authority, taking
'Him for their Supreme Head, and by
'the Act of Submission which ensued up-
'on it, the Clergy did unwittingly ensnare
'Themselves, and draw a Vassallage on
'those of the Times Succeeding, inconsi-
'sistent with their Native Rights, and
'contrary to the Usage of the Primitive
'Church, I hope it will be no hard mat-
'ter to remove that Scruple.—Its true, the
'Clergy of this Realm can neither Meet
'in Convocation, nor Conclude any
'thing therein; nor put in Execution a-
'ny thing which they have Concluded,
'but as they are Enabled by the King's Au-
'thority. But then it is as true, that this
'is neither inconsistent with their Native
'Rights, nor contrary to the Usage of the
'Primitive Times,—

'I grant, indeed, that when the Church
'was under the Command of the Heathen
'Emperours, the Clergy did Assemble
'in their National, and Provincial Sy-
'nods, of their Own Authority. Which
'Councils being Summon'd by the Metro-
'politans, and Subscribed by the Clergy,
'were of sufficient Power to bind all good
'Chri-

Of the Kings Supremacy.

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Christians, who lived within the Verge of their Authority. But it was Otherwise when the Church came under the Protection of Christian Princes.

As for the Vassallage, which the Clergy are supposed to have drawn upon Themselves, by this Submission; I see no fear, or danger of it.—That which is most insisted on for the Proof hereof, is the Delegating of this Power by King Henry the VIII. to Sir Thomas Cromwell, —by the Name of his Vicar General in Ecclesiastical Matters; Who by that Name Presided in the Convocation, Anno 1536. And this is look'd upon both by Saunders, and some Protestant Doctors, not only as a great debasing of the English Clergy, but as a kind of Monstrosity in Nature. But certainly these Men forget—that in the Council of Chalcedon, the Emperour appointed certain Noble-Men to sit as Judges, whose Names Occur in the first Action of that Council. The like we find Exemplified in the Ephesine Council; in which, by the Appointment of Theodosius and Valentinian, the Roman Emperours, Candidianus, a Count Imperial, sat as Judge, or President.

See the same
trad: p. 7, 23,
24, 39, 40. 41,
&c. more to the
same Effect.

It is not Possible to imagine any thing more expresse to our present Concern, than

An Appeal, &c. in behalf

than what this Learned, and Zealous Defender of our Church has here advanced. If any One should be so Uncharitable as to imagine, that this great Man had any Byals of private Interest upon him, when he wrote this; He may please to know, that this Book was set forth by him in the time of *Oliver Cromwel*, when our Church was in its worst Estate; and there seemed but little hopes Remaining of its ever Recovering itself to a New Establishment. But indeed this was his real Judgment; and the General Sense of our Clergy in those Days. Nor had our greatest Church-Men then learnt either to think Otherwise of the Princes Right; Or to run down the Learning, and Piety, of those Holy Men, by whose Courage and Conduct the Reformation was carry'd on; and many of whom sealed the Sincerity of their Opinions, with their Own Blood.

KING CHARLES II.

§ 34. I have now but one Period more to pass over, and that a very short One too; wherein I am to enquire, How this Doctrine continued to be Received after the Restoration of King Charles the II. and upon that last Reviv, that was then made of our Constitution. That,

Of the King's Supremacy.

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That, at that time, both the *King*, and his *Parliament*, were not only well affected to the Interests of our *Church*, but ready to concur with whatever the *Convocation* could reasonably have proposed to Them, for the better Settlement of it, is not to be doubted. But what then did they do, as to this Matter? Was this enslaving *Act*, made by our || Saint *Henry* the VIII. and continued by all his *Oppressing Successors* of the *Reform'd Religion*; repealed by this *Zealous Church-Parliament*? Or, because that cannot be pretended; Did that Reverend *Synod*, which altered so many Other things, ever once touch upon this, and were stop'd in it? Neither can that be Affirm'd.

|| *Municip. Eccl.*
cl. p. 107.
|| *Ib.* p. 114.
122. &c.

Was there, in that large Body, Any *One*, (but *One*) *Generous, Freeborn Spirit*, who being scandalized at the Restraints under which the *Divine Rights* of the *Church* had so long lain, moved the *Convocation* to protest against the *King's Supremacy*, if they could not yet be so Happy as totally to shake it off? Neither does any thing of this Occur, in the *Diary*, which I have seen, of that *Convocations Proceedings*.

Now that which makes me the rather to Remark this, is, that both that *Parliament*,

13 Car. 2. cap. xii. *An Act for Explanation of the*
 17 Car. 1. c. xi. *Entituled, An Act for Repeal of a Branch of a Statute*
1 Eliz. c. i. concerning Commissioners for Causes Ecclesiastical.

liament, and that *Convocation*, had this very Business of the *King's Supremacy*, and the *Churches Power*, under their Consideration : And an *Act* was made for the better *Execution* of the *One*, but still so as not to *Prejudice* the *Other*. Here therefore was a just Opportunity given to the *Convocation* to have declared its self ; and for the *Parliament* to have provided for the *Liberties* of the *Church*. They were actually *Repealing* One *Branch* of that very *Statute*, of the First of *Eliz. c. 1.* And two Lines more had done the Business. But alas ! they were both *Negligent* in this *Particular* : Or rather, (for that is the Truth,) they Neither of them thought the *Church* was at all *Oppress'd*, by this just *Jurisdiction* of the *Prince* over it.

But we know *Acts* of *Parliament* are *Obstinate* things, and will no longer *bend*, as they were wont to do, to the *Ecclesiastical Canon*. Did the *Synod* therefore, at least, make bold with its *Own Constitutions* ; and *Rescind* those *base*, and *flattering Canons*, which stamp upon this *Act* the *Churches Approbation* ; And, by so doing, sign'd the *Theta* upon her *Rights, Liberties, and Authorities* ? On the contrary, they continue still in force ; and have

have (as far as One of King Henry's Con-
vocations has power to do it;) *ipso facto*
Excommunicated some among Us, who,
while they make a Noise in the World,
as if they only were the true Sons of the
Church of England, are Really cut off
from all Communion with Her.

In a word; When upon the Review
of the *Liturgie*, several other *Alterations*
were made in the *Forms* of *Ordaining* of
Bishops, *Priests*, and *Deacons*; did they
slip aside the *Oath* of *Supremacy*, that Bond
of Iniquity, contriv'd by the *Atheists*, and *Ibid. Pref. p.*
Erastians, of the *Parliament* in the First ^{1, 2.}
of *Q. Elizabeth*, on purpose to run down
the *Rights* of the *Clergy*; and set up an
Oppressive Supremacy over them? But,
they still stand as they did before; and
may move some to consider, who have
been *Ordain'd* by these *Forms*. How to *Ibid. p. 119.*
Reconcile the *Solemn Recognition* of that
Oath, in behalf of the *King's Authority*,
with what they have since Written,
with so much Bitterness, against it.

But tho' the *Convocation* therefore did
nothing to Recover the *Church* out of that
slavish Estate, into which former *Convo-*
cations, and *Parliaments*, had brought
her; it may be some Others of the *Clergy*,
at least, in their *Writings* on this Subject,
may have Remonstrated against it. That

any have done so, till this present Controversy began, is what I never Heard: This I know, that several have Asserted, and, which is more, defended too, the Supremacy, on its present Legal Bottom, beyond the possibility of a Reasonable Reply.

Bp. Taylor.

Among these I know not whom more properly to mention, in the very first place, than our Pious, and Learned Bishop Taylor. It was but a very little while before the Restoration of King Charles, that he published his Excellent Book of Cases of Conscience; and which has never, I conceive, fallen under any Censure, tho' often Re-printed, since.

Book iii. ch. 3.
Rule 4.

Ib. §. 7, 8, 9.

In these having first, in General, shewn, that the Prince has Authority in Matters of Religion; and Asserted it so highly, as to say, 'That without it, he is but the Shadow of a King, and the Servant of his Priests: He proceeds, more particularly, to lay down this, as his next Rule of Conscience; 'That Kings have a Legislative Power, in the Affairs of Religion, and the Church. Which having also shewn; his next Conclusion to our purpose is this; §. 9. 'The Supreme Civil Power, hath a Power of External Judgment, in Causes of Faith: That is, as he Explains himself, 'a Power to determine what Doctrines are to be taught to the People, and what not.

And

Of the King's Supremacy.

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And to prevent mistake, he thus declares himself, more particularly, as to this matter. §. 16. *'I do not intend by this, that whatsoever Article is by Princes allow'd, is therefore to be accounted a part of True Religion: For that is more than we can justify of a Definition made by a Synod of Bishops. But that They are to take care that True Doctrine be Establish'd; That they that are bound to do so, must be supposed Competent Judges what is true Doctrine; Else They Guido their Subjects, and some Body Else Rules them: And then Who is the Prince?'*

'The Prince then is to Judge what is true Doctrine; yet this He must do, by the Assistance, and Ministries of Ecclesiastical Persons.—Kings are the Supreme Judges of Law:—Yet in Cases where there is Doubt, the Supreme Civil Power speaks by them whose Profession it is to Understand the Laws. And so it is in Religion: The King is to study the Law of God; not that He should wholly depend, in Religion, upon the Sentences of Others; but be able, of Himself, to Judge.' Ib. Rule 8.

—'But the Prince's Office of providing for Religion, and his Manner of doing it, in Cases of Difficulty, are rarely well discoursed by Theodosius the Younger, in a Letter of his to St. Cyrill: The Do-

'Aristine of Godliness shall be discuss'd in
 'the Sacred Council; and it shall prevail,
 'or pass into a Law, so far as shall be
 'judged Agreeable to Truth and Reason:
 'Where the Emperor gives the Examina-
 'tion of it to the Bishops, to whose Office,
 'and Calling, it does belong: But the Judg-
 'ment of it, and the Sanction, are the
 'Right of the Emperor; who would see the
 'Decrees should be Establish'd, if they
 'were True and Reasonable.

lb. §. 5. 'This I observe in Opposition
 'to those bold Pretences of the Court of
 'Rome, and of the Presbytery; that E-
 'steem Princes bound to Execute their De-
 'crees, and account them but Great Mi-
 'nisters, and Servants, of their Sentences—
 And a little lower he saith; 'If He (the
 Prince) 'be not bound to Confirm All,
 'then, I suppose, He may chuse which he
 'will, and which he will not.—

§. 6. He shews that Princes are not
 bound to Govern their Churches, by the
 Consent, and Advice of their Bishops; but
 only that it is Reasonable they should.
 'For (says he) Bishops and Priests, are
 'the most Knowing in Spiritual Affairs;
 'and therefore most fit to be Counsellors
 'to the Prince in them.

In his Fifth Rule, §. 1. he Affirms,
 'That Kings have Power of Making Laws.

—And

—And therefore, as Secular Princes did use to Indict, or Permit the Indiction of Synods of Bishops; so when they saw Cause, they Confirm'd the Sentences of Bishops, and pass'd them into Laws. Before Princes were Christian, the Church was Govern'd by their Spiritual Guides; who had Authority from God, in All that was Necessary, and of Great Convenience, next to Necessity: And in Other things they had it from the People.

For the (better) providing for These, God raised up Princes to the Church.— And then Ecclesiastical Laws were Advised by Bishops, and Commanded by Kings. They were but Rules, and Canons, in the hands of the Spiritual Order; but made Laws by the Secular Power.— These Canons, before the Princes were Christian, were no Laws farther than the People did Consent; but now even the Wicked must Obey.

This was the Judgment of that Great Bishop, as to the Princes Supremacy in Matters Ecclesiastical. And this Judgment he delivered in his full Tears; in One of his last Works, and that purposely design'd to Guide the Consciences of such as should make Use of it. I shall from him descend but to One more, Whom I fitly place the last of his Order; And to whose

Judgment, tho' I pay no more than it deserves, yet I cannot but think it may have some weight with those, whom I am now concern'd especially to Convince.

§. 36.

Bp Parker.

In his Discourse of Ecclesiastical Polity, Chap. 1. he affirms, *'The Affairs of Religion to be Subject to the Supreme Civil Power, and to no Other. p. 2. That as, in the first Ages of the World, the Kingly Power, and Priestly Function, were always Vested in the same Persons;—So when they were separated, in the Jewish State, the Supremacy was annexed to the Civil Power, and so continued until, and after, our Saviour's Death: Ibid.*

This he more largely delivers, p. 32. *'Tho' in the Jewish Commonwealth, the Priestly Office was—separated by a divine, positive Command, from the Kingly Power; yet the Power, and Jurisdiction of the Priest remain'd still subject to the Sovereign Prince: Their King always Exercising a Supremacy Over All Persons, and in All Causes Ecclesiastical.*

Ibid. p. 43.

'The Power wherewith Christ invested the Governors of his Church, in the Apostolical Age, was purely Spiritual: They had no Authority to inflict Temporal Punishments, or to force Men to submit to their Canons, Laws, and Penalties. They only declared the Laws of God, and

de-

denounced the Threatnings annexed to Them.

But when Christianity was become the Imperial Religion, then began its Government to Re-settle where Nature had placed it; and the Ecclesiastical Jurisdiction was annex'd to the Civil Power.—

So that tho' the Exercise of the Ministerial Function, still continued in the Persons that were thereunto Originally Commissioned by Our Saviour; the Exercise of its Authority, and Jurisdiction, was Restored to the Imperial Diadem.

Constantine was no sooner settled in his Imperial Throne, but he took the Settlement of All Ecclesiastical Matters into his Own Cognizance. He Called Synods and Councils, in Order to the Peace and Government of the Church: He Ratified their Canons into Laws, &c. In the Exercise of which Jurisdiction, he was carefully follow'd by all his Successors.

Nay he doubts not to affirm, That had it not been for the Care of Christian Princes, Christianity had, in all humane Probability, been utterly destroy'd by its Own Tumults and Seditions.

He adds, That this Supremacy of the Civil Power, in Religious Matters, is expressly Asserted by Our Church; which is not content barely to Affirm it, but denounces

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‘nounces the Sentence of Excommunication against All that deny it.

*The Case of the
Church of Eng-
land stated.*

Thus stood this *Author's* Judgment in this Case, about the Year 1669: It is true, that being engaged against another sort of *Adversaries*, and which led him to somewhat different Reflections; we find him a little gone off from this *Hypothesis*; in the Year 1681. Yet even there he is much more for the *Supremacy*, than those we have now to do with. He affirms indeed, p. 105. *‘That from the ‘Precedent of the Apostles, in the First ‘Council of Jerusalem, the Governours ‘of the Church, in all Ages, enjoy’d a Power ‘of making Canons and Constitutions, for ‘Discipline, and Good Order. But withal he adds, that ‘By the Example of the ‘Primitive Church, our Bishops submitted ‘the Exercise thereof to the King’s Sovereign Authority, as we see in that famous ‘Act called, The Submission of the Clergy. Whereby (says he, p. 106.) they ‘do not pass away their Power of making ‘Ecclesiastical Canons; but only give Security to the Government, that, under that ‘Pretence, they would not attempt any thing ‘tending to the Disturbance of the Kingdom, or Injurious to the Prerogative of the ‘Crown. Which, in truth, is such a Submission, as all the Clergy in the World ought*

ought, in duty, to make to their Sovereign,
 'at least in Gratitude, for his Protection;
 'and that without any Abatement, or Di-
 'minution of their Own Authority; viz.
 'The standing Laws of Christianity being
 'secured, to submit All Other Matters to
 'his Sovereign Will and Pleasure.

And p. 108. He approves King James
 Reply to Cardinal Perron, where he lets
 him know, 'That tho' Christian Kings
 'and Emperors, never arrogated to them-
 'selves a Power of being Sovereign Judges
 'in Matters and Controversies of Faith;
 'yet for Moderation of Synods; for De-
 'terminations, and Orders, Establish'd in
 'Councils; and for the Discipline of the
 'Church; they have made a full, and
 'Good Use of their Imperial Authority.

Such was the last Sense, if I mistake
 not, of this Writer; and that when he
 was in his highest Exaltation of the
 Churches Authority. And all the Diffe-
 rence I can find between his Own last,
 and first Opinion, is but this; that what
 He before gave the Christian Prince as
 his Own due, He now grants him by
 the Concession of the Clergy; yet so, as to
 declare the Clergy bound to yeild it to
 Him, and to affirm the Churches Rights
 to be in no wise injured, or impeach'd
 by it.

edge

But

But I shall not insist any longer on this Authority; but pass on to consider the Judgment of an Author, or Two, of a Lower Rank; but whose Learning, and Steadiness, will much more recommend Them to all Sober, and Indifferent Persons.

§ 37.
Dr. Falkner.
Christian Loy-
alty. p. 42.

Of these the first I shall mention, shall be our Excellent Dr. *Falkner*; who in his Discourse of Christian Loyalty, fully examines, and determines the Case before Us.

Concerning the Christian Doctrine, and Profession, (says he) tho' no Authority has any Right to Oppose any part of the Christian Truth; yet Princes may, and ought to, take Care of the True Profession thereof in their Dominions; and to Suppress such dangerous Errors, as are manifestly contrary therunto.—But in Cases of Difficulty, for the deciding, or ending of Controversies, about Matters of Faith, the Disquisition, and Resolution of the Spiritual Guides, ought to take Place, and be Embraced.—In such Cases, the Catholick Christian Emperours, did, by their Authority, Establish the Decisions of the Oecumenical Councils. But in Matters of Truth which are plain, and manifest from the Holy Scriptures themselves, or the Declarations of approved Coun-

Ib. pag. 44.

2a 259 of

Councils agreeing therewith; the Secular Governour, so far as is Necessary, may proceed upon the Evidence thereof to his Own Understanding.

In establishing Rules and Constitutions for Order, Decency, and Peace, it belongeth to the Ecclesiastical Officers to consult, advise, and take Care thereof. — But yet this with such Dependance upon the Royal Power, as King Charles has declared — [that is; That they first obtain the Kings leave to do it; and execute nothing but with his Approbation. See above p. 28.] In such an extraordinary Case, as that in the Primitive Times was, when the Civil Power will not own the Church; the Ecclesiastical Governours, by their Own Authority, may establish necessary Rules of Order, as was then done. But since the External Sanction of such things, doth flow from the general Nature of Power and Authority; wheresoever the Temporal Power will take that Care of the Church, which it ought, it hath a Right to give its Establishment to such Constitutions; and the Ecclesiastical Officers, as Subjects, are bound to apply Themselves thereto, for the Obtaining of it.

The calling of Councils, so far as is needful for the Preservation of the Peace and

‘and Order of the Church, may be per-
 ‘form’d, as the former, by Ecclesiastical
 ‘Officers, where the Civil disowneth the
 ‘Church. But this being no particular Ex-
 ‘ercise of the Power of the Keys, but only
 ‘of a general Authority, doth peculiarly
 ‘belong to the Prince, or Supreme Gover-
 ‘nour, if he will make use thereof.—The
 ‘antient Right, and Exercise of the Au-
 ‘thority of Kings, in Summoning Pro-
 ‘vincial, or National Councils, is suffi-
 ‘ciently observed, and asserted, by P. de
 ‘Marca.

But indeed he himself in his 5th Chapter,
 abundantly Demonstrates both that, and
 all the rest that is Contended for, in the
 present Dispute. And the Heads of
 which are such as these: ‘That the an-
 ‘tient Emperours had Power to Call Coun-
 ‘cils: p. 156, 158, 159, 161, 165, 170:
 To be present at Them: p. 157, 160.
 And by Themselves, or their Deputies,
 to Preside in Them: p. 162, 167, 170.
 To direct them what they should Con-
 sult about: p. 157, 163, 170. To ap-
 point the Time, and Place, of their
 Meeting: p. 166, 170. To keep the Bi-
 shops from leaving the Council, till all
 should be Finish’d for which it was Cal-
 led: p. 163. To Confirm what they do
 aright: p. 157, 160, 161, 164, 169, 170.

To

To Rescind what they do amiss: p. 163.

To Suspend their Acts from taking Effect,
till they should give way to it: p. 165:

These are the Instances which may be
observed, in that Chapter, of the Jurisdic-
tion and Authority, which the ancient
Emperours Exercised over their Synods
heretofore: And by which we are to Ex-

pound, as our Church has taught Us, Can. 2.

the Supremacy of our Own Princes in the
like Cases. I shall conclude what I have

to observe from this Learned Writer,
with a Remark, which I wish some Men

would be perswaded a little more seri-
ously to Consider: p. 204. 'Some things

'which, at first Sight, may seem an Abate-
'ment of the Authority of the Church,

'is rather such a way of Regulating the Ex-
'ercise of its Power, as, under Religious

'Princes, is for the Churches Advantage.
'Of this Nature I conceive that Constitu-

'tion [of the 25 H. VIII.] that No
'new Canons shall be Enacted, Pro-

'mulged, or Executed, without the Roy-
'al Assent, and Licence, to Enact, Pro-

'mulge, and Execute the same. For here-
'by the Cergy give such Security to the

'King, against all jealousies of Renew'd Ec-
'clesiastical Usurpations, that thereupon

'the Church may, under the Kings Favour,
'and with the Assurance of greater Safety

'and

Comp. Munic.
Eccles. Prof.

‘and Protection, practise upon its Establish’d
 ‘Constitutions; which are so Good, that we
 ‘have great Reason to bless God for them.
 ‘And hereupon it may also be hoped, that
 ‘what shall be farther needful, may be Su-
 ‘per-added, by the Royal Licence; and be-
 ‘come more Effectual to its End, by the
 ‘Confirmation of that Authority.

under the
 title of the
 Library of
 the
 MSS.

38.

Dr. Barrow.

There is yet One Author more, who
 must not be pass’d by; Our Learned,
 and Accurate Dr. Barrow: And a better
 than whom I could not have desired, to
 close up this Collection withall.

In his Treatise of the Unity of the
 Church; (a Discourse which would some
 Men more diligently Read, and more
 judiciously Consider, they would not
 talk so loosely as they do, on that Sub-
 ject:) He gives Us this Account of the
 State of the Church, in the times Imme-
 diately after Christ.

See his Works,
 1st Vol. p. 311.

‘Each Church did, Seperately, Order its
 ‘Own Affairs; without Recourse to Others,
 ‘except for Charitable Advice, or Relief,
 ‘in Cases of extraordinary Difficulty, or
 ‘urgent Need.

Ib. Comp. p.
 211. 216.

‘Each Church was Endow’d with a per-
 ‘fect Liberty, and a full Authority, with-
 ‘out Dependence, or Subordination to O-
 ‘thers; to govern its Own Members; to man-
 ‘age its Own Affairs; to Decide Contro-
 ‘versies,

verses and Causes Incident among themselves; without allowing Appeals, or rendering Accounts, to Others.

It is true that the Bishops of several Adjacent Churches, did use to meet upon Emergencies, — to consult, and conclude upon Expedients, for attaining such Ends (as they met for.) This probably they did at first in a Free Way, without Rule, according to Occasion, as Prudence Suggested: But afterwards by Confederation, and Consent, these Conventions were formed into Method, and Regulated by certain Orders, establish'd by Consent; whence did arise an Ecclesiastical Unity of Government, within certain Precincts.

If the Author of the Municip. Eccles. thinks this Account, of the Original of Synods, clearer than mine, he may take it, as an Explanation of my Meaning; and which I see no Cause yet to Retract. Municip. Chap. 1.

Hence every Bishop, or Pastor was conceived to have a double Relation, or Capacity; One towards his Own Flock, another towards the Whole Flock.

Ib. p. 312.

Of Councils, he thus delivers his Opinion.

General Councils, are Extraordinary, Arbitrary, Prudential Means, of restoring Truth, Peace, Order, Discipline. — During a long time the Church wanted Them; Afterwards had them but Rarely; and since the Breach between the Oriental, and Western Churches, for many Centuries, there hath been none.

Ib. p. 310.

The

An Appeal, &c. in behalf

Ib. p. 321.

Comp. p. 185.

'The first General Councils, (indeed
'All) were Congregated by Emperours;
'—their Congregation dependeth on the
'Permission, and Pleasure, of Secular Pow-
'ers; and, in all Equity, should do so.

Ib. p. 185.

And in his most Elaborate Treatise of
the Popes Supremacy: 'The most Just and
'Pious Emperours, who did bear greatest
'Love to the Clergy,—did call them without
'Scruple: It was deem'd their Right to do
'it; none did Remonstrate against their
'Practise.

The same he shews of National and
Provincial Councils, p. 186, &c.

Ib. p. 188, 189.

'To these they Summon'd the Bishops
'in a Peremptory Manner, and directed
'both the Time, and Place of their Meeting.

Ib.

'The Popes petition'd them to Call [Coun-
'cils] and sometimes they Prevailed, and
'sometimes they did not.

Ib. p. 191.

Comp. 192.

'This Power, upon many just Accounts,
'peculiarly doth belong to Princes. It suit-
'eth to the Dignity of their State; It ap-
'pertaineth to their Duty; They are most
'Able to Discharge it.— They alone can,
'well, cause the Expences needful for hold-
'ing Synods, to be Exacted and Defray'd:
'They alone can Protect Them; can main-
'tain Order, and Peace, in Them; can pro-
'cure Observance to their Determinations:
'They alone have a Sword to Refrain,
'Re.

‘Resty and Refractory Persons:—To
 ‘oblige them to Conuene; to Confeer Peace-
 ‘ably, to Agree, to Obferue what is Setled.
 ‘It inſeperably doth belong to Sovereigns, Ib. p. 193.
 ‘in the General Affemblies of their States,
 ‘to Preſide and Moderate Affairs; pro-
 ‘poſing what they Judge fit to be Conſulted,
 ‘or Debated; ſtopping what ſeemeth unſit
 ‘to be moved; keeping Proceedings within
 ‘Order and Rule; and ſteering them to a
 ‘Good Iſſue: Checking Diſorders and Ir-
 ‘regularities, which the Diſtemper, or In-
 ‘diſcretion, of any Perſons, may create in
 ‘Deliberations or Diſputes.—This there- Ib. p. 194, 206.
 fore he ſhews the Emperours to have
 done, in all the firſt Synods.

‘The Word Preſidency hath an Ambi- Ib. p. 204, 205.
 ‘guity:—It may be taken for a Priviledge
 ‘of Præcedence, or for Authority to Go-
 ‘vern things. This latter kind of Preſi-
 ‘dency, was diſpoſed of by the Empe-
 ‘rour, as he ſaw Reason.

‘The Power of Enacting, and Diſpen- Ib. p. 24.
 ‘ſing with, Eccleſiaſtical Laws, touching
 ‘Exteriour Diſcipline, did of Old belong
 ‘to the Emperour: And it was Reasona-
 ‘ble that it ſhould.

‘By many Laws, and Inſtances it ap- Ib. p. 251.
 ‘peareth, that Appellations have been
 ‘made to the Emperours in the Greateſt
 ‘Causes.—So the Donatiſts did Appeal to
 K ‘Con-

An Appeal, &c. in behalf

Constantine: Athanasius, and the Egyptian Bishops, to the same; Priscillianus to Maximus: Idacius to Gratian.—

III.

§ 39.

And here I shall put an End to these Collections. It would have been a very easy Matter to have added many more || *Authors*, than I have here *Alleged*, and to have much *Enlarged* upon those which I have Produced. But what is already done may Suffice; till those who now *Advance* the *Contrary Opinion*, shall be able, at least, to make some Tolerable Proof, that they do not forsake the Received Doctrine of our Church, in Opposing an Authority, *by Law, confessedly, Establish'd*: And, I think, no less Confirm'd by our *Aristotles, and Canons*, too.

|| Horn *against* Fecknam: Bridges *against* Sanders: Burbill and Tooker *mention'd* §. 22. Sarravia: Stutcliffe: Whitaker: Abbott Bp. of Salisbury: Reynolds *against* Hart: Morton Bp. of Durham *against* Bellarmine: Carleton Bp. of Chester: Dr. Ferne. &c.

∴ Municip. Eccles. p. 107, 136. 176.

Municip. Eccles. p. 177.

It remains now, that I take the Liberty freely to *APPEAL* to every Sincere Member of Our Communion, to Judge in this Case, between *Me*, and *Those*, who so warmly Oppose me, and so highly Charge me, upon this Occasion: And to consider, what I have done, with Relation to the Rights, and Liberties, of the Church of England, for which I ought so Humbly my self before God, and to make a Satisfaction to Her.

Right to this Justice, and to this

Of the King's Supremacy.

III

Is it that I have Asserted the *King's Authority*, over the *Ecclesiastical Synods* of this *Church*, and *Realm*? But so the *Laws* speak, as well as I: And to these, both the *Articles*, and *Canons* of the *Church*, require me to *Conform*. Nay, they do more; they Require me not only to *Conform* my self, but to do, what in me lies, to move All Others to the *Observance* of them. And if for this I must be *Censured*; these *Laws*, and *Canons*, must run the same Fate with Me. And I shall always account it an Honour, to Suffer, for Asserting the *Laws* of the *Realm*; and for maintaining the *Doctrine*, and *Constitutions* of the *Church* of *England*.

Can. 1.

Or is it that I have gone beyond the *Bounds* of the *Law*, and given a *Greater*, and more *General Authority*, to the *Christian Prince*, than either the *Submission* of the *Clergy*, or the *Act* of King *Henry* the *VIIIth* founded thereupon, have declared to belong to Him? This, for ought I know, I may have done, and yet not be Guilty of any *Fault* neither, in the doing of it. I have before said, and do here again Repeat it, with the same Assurance I at first delivered it; That I do not found the *Right* of our *Kings* to this *Jurisdiction*, either upon

K 2

that,

that, or upon any Other *Act*, that has been made in pursuance of it. I fix it upon the *Right of || Sovereignty* in General; and upon that *Antient Jurisdiction*, in *Causes Ecclesiastical*, which the very *Statute of Queen Elizabeth* speaks of; and allows to have been always, of *Right*, belonging to the *Imperial Crown* of this *Realm*. To this our

|| See Mr. Hooker's Judgment, §. 20. Bishop Andrews, §. 34. Convoc. of 1640, §. 30. A.B. Bramhall, Sect. 31, &c.

* 1 Eliz. c. 1. Sect. 1.

† Coke v. Rep. Cawdries Case—Id. 4. Inst. p. 325, 326. More's Rep. p. 755. 2. Crook Rep. p. 73. Heylin. Ref. Just. p. 7, 23.—See the *Queen's Injunctions*; above Sect. 7. *Canons of K. James*, §. 9.

* *Laws* themselves agree: They speak still of Restoring to the *Crown* its *Antient Rights*; and our † *Lawyers* have accordingly constantly Affirm'd, that these *Acts*; and particularly that which we are here especially concern'd in, the 1 *Eliz. c. 1.* was not *Introductory* of a *New Law*, but *Declaratory* of the *Old*. And therefore, before I can justly be condemn'd upon this account, my *Proofs* must be Answer'd; and it must be shewn, that what I ascribe to the *King*, is not a *parcel* of that *Jurisdiction*, which was once enjoy'd by the *Kings*, and *Princes*, of this *Realm*; and did *Always*, of *Right*, belong to them. And that, I believe, it will be no easie Matter to do.

1st. I affirm that it is the *Right* of every *Christian King*, to Call his *Clergy* together

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ther in *Convocation*; and that without his *Call*, they cannot Regularly *Assemble*, to any such purpose, of themselves. But so our *Law* expressly declares; that the *Convocation* shall Evermore be Called by the *King's Writ*: And it is Notorious to Every One, who has any Knowledge in these Matters, how dangerous it would be for the *Clergy* to presume to come together without it.

2dly. I Assert that the very Persons who meet in Our *Convocations*, are Determined, and Empower'd, by the *King's Writ*; and that none have a Right to *Assemble*, but such as he Calls by it. Let the *Writs* of *Summons* be Examined, and let it there be seen whether the *Case* be not so, as I pretend it to be. Let this *Author* tell me, if he can, why such and such *Dignitaries* are required, personally, to come to the *Convocation*; Others to send such a certain Number of *Delegates* to Represent them; but that the *Writ* of *Summons* so Directs, so Authorizes them to do? And tho' I do not suppose it to be now in the *King's Power* to alter this *Form*, yet the *Sovereign Legislative Authority*, may, without Controversy, do it; and appoint any Other Method of Framing the *Lower House* of *Convocation*, that

K 3

should

An Appeal, &c. in behalf

should appear to them to be more *Proper* and *Expedient*.

3dly. I declare, that by *Our Law*, the *Convocation* can deliberate on *No Canons*, or *Constitutions*, without first *Obtaining* the *King's Licence* so to do. It is the exprefs Resolution of the *Acts* of *Submission*: And our *Convocations* do accordingly, notoriously, Govern their *Proceedings* by it.

4thly, I add, That heretofore, the *Christian Emperors* prescribed to their *Synods*, the very *Method* they should observe, in handling the *Matters* which lay before them. This indeed I affirm; and, I think, I have proved it too. And, if to this End, *Our King* should think fit, either Himself to Come; or to Appoint any Other to *Preside* in his Stead, and *Direct* the *Debate*s of our *Synods*, as he should Command them to do; I do not see that he would therein do any more, than what some of the best *Christian Princes* have done before him.

5thly, I pretend, that to the *Civil Magistrate* it belongs to *Confirm*, or *Annihilate*, such of the *Acts* of their *Synods* as they think fit. *Our Laws* agree to it; *Our Kings* claim it; *Our Convocations* submit to, and approve, of it. And let those

those who scruple this, consider, how low they sink the *Authority* of a *Prince*; if they leave him not the *Power*, which every ordinary Person claims, of *Judging* for *Himself*; but would oblige him, at a venture, to *Confirm* whatsoever the *Lords* of the *Consistory* shall please to *Define*.

6thly. That the *Prince* may *Alter* their *Constitutions*, I no otherwise affirm, than as I say it is in his *Power* to make *Laws* in *Matters Ecclesiastical*: And that for the doing of this, He may *Advise* with his *Clergy*, and follow their *Counsel*, so far as he approves of it. Thus *Charles* the *Emperor* made up his *Capitular*: And thus any Other *Sovereign Prince*, may take the *Canons* of the *Church*, and form them in such *Wise* into an *Ecclesiastical Law*, as he thinks will be most for the *Honour* of *God*, and the *Good* of his *People*.

7thly. In *Cases* of *Appeals*, I shew what *Power* the *Antient Emperors* both *Claim'd*, and *Exercis'd*: And I modestly *Vindicate* to our *Own Sovereign* the same *Authority*, which the *Fathers* of the *Church*, without all *Scruple*, allow'd to their *Princes*. And except it be in such *Cases* where the *King* is a *Party*, and the *Ap- 4 Inst. pag.*
peal therefore is to stop at the *Upper 340.*
House

House of Convocation; I see no Reason why this *Authority* should not be reserved to the *King*, and I conceive the *Law* of our *Realm* does allow of it.

8thly. As for the *Dissolving* of the *Convocation*, that is so evidently a part of the *Royal Jurisdiction*, and has been so fully adjudged to belong to the *King*; that I do not see what *Exceptions* can be taken at it. However the *Constant Practise* of our *Convocations*, in this matter, is on my Side: And I have herein ascribed no *Authority* to the *Prince*, but what our *Clergy*, for above these Hundred and Fifty Years last past, have constantly *submitted* to; and, by that *Submission* alone, have sufficiently *Vested* in Him.

§. 40.

But if I am not mistaken in *Point* of *Law*, what is it that deserves so *Tragical* an *Outcry*, as this late *Author* has made against me? Is it, that being a *Clergy-Man* my self, I appear'd in *Defence* of the *King's Authority* over the *Clergy*; and which, in some Mens *Notion*, is the same thing as to say, *against the Rights of the Church*? So indeed the *Convocation* seem'd to think, in the *Case* of *Dr. Standish*, heretofore; and so Some seem to account it now. But, God be thanked, the *Reformed Church* of *England*, never yet thought it any *Offence* in her

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cles. Pref.

her Clergy to stand up for the just Rights of the Prince; nor have I any Apprehension that I shall ever be Condemn'd, upon this account, by any True Members of Her Communion. And for Others, give me leave to ask, only; Am I the First, of Our Order, that have appear'd on this Occasion? Or do I stand alone in this Cause?

But what then shall we say of all those Learned Bishops, and Clergy-Men, whose Books I have here Quoted to the same Purpose? Nay rather, what shall we say of those whole Convocations, who compiled our Articles, and Canons? And have Obliged us thereby, not only Occasionally to Defend the Kings Supremacy; but to the best of our Wit, Learning, and Knowledge, publickly to Declare, and Confirm it to our Congregations, four times every Year. If this be that for which I ought to be Censured; I am afraid so great a part of our Order will go along with me, as may make it even scandalous to stay behind: And be number'd among that Little, Noisy, Turbulent Party, that now set themselves up as Judges over Us.

But if both the Law be on my side; and it be no improper Enterprize for a Clergy-Man to appear in; What shall we

i. Can.

we say, more? Was the *Time* improper? Did I take an Unseasonable Opportunity of Asserting this Authority?

Nay but this They should have consider'd, who by appearing so Eagerly against the *Princes Power* over the *Convocation*, made it absolutely Necessary for some or Other of our Church, to do her *Right*; and let the World know, that she never *Commission'd* any of her *Members*, to broach any such *Principles*, on her Behalf. That she is content to *Ass* under the *Royal Supremacy*; and is sensible that it is her *Duty* so to do. That if some *Hot Men*, (for ought she knows her *Enemies*,) will under pretence of asserting such a *Power* to her, as she has always disclaim'd, endeavour to raise any Jealousies in the Mind of her Defender against her; it is what she cannot help: And she hopes, she shall not be the worse Accounted of, for such *Attempts*, as she neither approves of, nor knows how to Prevent.

§. 42. And now, there is but One thing more, that can, I think, be Objected against my Undertaking: And I shall lay it down in the Words in which it is Charged upon me. For what if the *Publick* from such a *Work* (inscribed to the *Metropolitan*) should be tempted to proceed to farther

Municip. Ec.
clesi. Pref. p. 5.
Comp. p. 3.

the Resolves against the Powers Hierarchical? This I confess would be such a use of it, as I should be heartily sorry for; tho' even, in such a Case, I cannot tell whether I should ever the more deserve to be Censured for what I had done. There can nothing be either so well Design'd, or so carefully Perform'd, of which an ill Use may not be made. And if that should be Sufficient to cry down any Undertaking, I do not see how we shall be able to Satisfie our Consciences, in anything we have to do.

But, in Reason, I am sure the Church might have expected to suffer much more by the Letter to the Convocation Man, than by the Answer which I made to it. When Church-Men set up their Divine Rights, in opposition to the Laws of their Country; and upon Visionary Nations, endeavour to lead Men into Discontents against their Governours; it is Natural, not to say Necessary, for Princes to look to themselves, and consider how to stop those Attempts at the Beginning, which Experience has shewn them, may Otherwise, in time, grow too strong for Them. It was the Intollerable Insolence, and Usurpations, of the Roman Church, that made her first Feud, then Flock; and, at last, crush'd the Hierarchie

Hierarchie in many Places, to peices. And whatever Party shall think fit to pursue the same *Methods*, ought, in all Reason, to expect the same *Treatment*. If *Clergy-Men* will enjoy the *Protection* of *Princes*, it is but Reasonable that they should be Content to acknowledge their *Authority*. To contend for more *Power*, than either *Christ* has left us; or our *Calling* requires, or the *Bishops*, and *Councils*, under the first *Christian Emperours*, pretended to, or desired; is neither *Prudent*, nor *Justifiable*: It is to render the *Church* suspected by the *States*; and to set those *Powers* in *Opposition* to, which ought mutually to *Help*, and *Support*, One-Another.

See above §.
37.

I have before shewn what Opinion a very Learned Man, upon this Ground, had of the *Act of Submission*, now so much railed at, in these Days. He look'd upon it as a *Law* of great *Benefit* to the *Church*, even for this Reason alone, that it freed the *Civil Powers* from entertaining any more *Fears*, and *Jealousies*, of the *Clergy*. This was a Remark founded upon *Good Reason*, as well as upon the *Experience* of those former *Miscarriages*, which the *Clergy* had run into, for want of such a *Restraint*. And I cannot but every Day more and more ac-
know-

knowledge the *Goodness* of God towards our *Church*, in that very thing, for which some Men so Tragically lament the *Oppression*, and *Slavery*, of it : Being fully Perswaded that nothing, at this Day, preserves us from *Ruin*, and *Desolation*; but that we have not *Power*, of our selves, to do the *Church* a *Mischief*; and the *Prince*, who sees but too much of our *Tempers*, is too *Gracious* to Us, and has too *Great* a *Concern* for the *Churches* Good, to suffer Us to do it.

These are the *Advantages* which I look upon the *Church* to derive to herself from this *Act*. It prevents all *Jealousies*, which either the *Odd Principles*, the *Violent Tempers*, Or the *Wicked Designs*, of some Men, might justly raise in the *Minds* of our *Governours* against us: And frees them from all *Temptation*, as well as from all *Need*, of laying any *farther Restraints* upon Us. It encourages the *Civil Powers* to be willing to allow us both *Liberty* to come *Together*, and *leave to Deliberate*, of what may be *Profitable* to the *Church*; when ever they shall Judge it to be, in any wise, *Needful*, or but *Proper* so to do. And, in the mean while, it hinders us from throwing all into *Confusion*, in such Times of *Faction*, and *Discontent*;
of

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of *Heats and Animosities*, as we are at present in; to the certain *Scandal*, and *Division*, of the *Church*; it may be, to a *New Confusion* of All things in the *State* too.

- ¶ 43. And thus have I deliver'd the Real Sense of my *Own Conscience*, in the Matter before me. I have shewn what my *Principles*, as to the *Kings Supremacy*, are; and from *Whom* I have *Learned* them. That the *Laws*, the *Articles*, and *Canons* of our *Church*, are my *Instructors*: And all these, as explain'd to me, by the *Greatest*, and most *Eminent* of our *Profession*, both for *Character*, and *Ability*, that our *Church* has produced ever since the *Reformation*. All that I desire, in Return, is, That those who now appear so vehemently against me, in this Point, would as freely declare *their Sense*; and as plainly shew from whom they have Received it. If they can make as fair a Plea to our *Church's Patronage*, as I have here done, I must then ingenuously Own, I have been Greatly Mistaken. If they cannot, I shall then leave them under this *Character*; that whatever they may pretend, they must, in Reality, be either of the *Conclave*, or of the *Consistory*; and manage this Cause, for the *Pope*, or

for

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for the latter. Whether of these Parties they will fly unto, to me it is indifferent. This I am sure of, that if they are resolved to hold to our *Church*, in *Defiance of Her Doctrine*; they must, at least, be confessed to be in a very low Degree of *Communion* with Her: She having solemnly, by her *Canons*, excluded them from her *Sacraments*; and left them no Regular method of returning to the participation of them, but by the *Archbishop's Absolution*; and that upon *Sincere Repentance* for what they have done, and after a *Publick Revocation of their present Wicked Errors*.

FINIS.

ERRATA.

PAGE vii. Margin, for 39 Can. read 36. p. 9. f. 39.
Can. 1. 36: p. 68. l. 20, f. *Attain'd so*, r. *Enjoy'd*.
The literal Errors the Reader will please to Correct.

IN my other Book of the *Authority of Christian Princes*: p. 382. Blot out line 5, 6, 7, 8. In which I find my self to have been mistaken.

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